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THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — OF THE UNITED STATES — 1934

FEDERAL REGISTER

VOLUME 9 NUMBER 52

Washington, Tuesday, March 14, 1944

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 19—FEES AND CHARGES ON LAND BANK AND COMMISSIONER LOANS

ADDITIONAL AND REFUNDING LOAN FEES

Part 19 of chapter I, title 6, Code of Federal Regulations is hereby amended by amending § 19.329 and by adding § 19.329–50 to read as follows:

§ 19.329 *Association fees; increased loans.* When an applicant for a loan offers as security therefor property which is mortgaged, in whole or in part, to a bank, the Corporation, or both, and the amount applied for is in excess of the total unmatured principal, as of the date of the application, of such outstanding mortgage loan or loans, the provisions of § 19.320 and the last sentence of § 19.324 shall apply in determining the amount of the application fee which may be collected and retained by the association through which such application is submitted, except that the maximum association application fee which may be collected in accordance with § 19.320 shall be based upon the amount of such excess. Where, upon the basis of such application, a bank loan is closed through an association which endorsed the outstanding bank loan, the association may, whether the transaction is completed by way of a supplemental loan or a rewriting of the outstanding loan, collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount of the new note or notes which represents other than principal of the outstanding bank loan unmatured as of the date of the application. Where, upon the basis of such application, a bank loan is closed through a different association than that which endorsed the outstanding bank loan, or through any association if only a loan held by the Corporation was outstanding, the association may collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount for which it endorses the bank loan.

§ 19.329–50 *Association fees; decreased loans.* If the amount applied for is equal to or less than the total unmatured principal, as of the date of the application, of any bank and/or Commissioner loans on the property offered as security, the association through which the application is submitted may collect an application fee, but not a closed loan fee. In such cases the amount of the application fee which may be collected and retained by the association shall be determined in accordance with the provisions of § 19.320 and the last sentence of § 19.324.

(Secs. 11 "Third", 17 (d), 39 Stat. 369, 375, as amended; 12 U.S.C. 761 "Third", 831 (d))

[SEAL] W. E. RHEA,
Land Bank Commissioner.

[F. R. Doc. 44–3479; Filed, March 11, 1944; 11:18 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—War Food Administration (Sugar Regulations)

PART 802—SUGAR DETERMINATIONS

1944 SUGARCANE WAGE RATES IN LOUISIANA

Determination of fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Louisiana during the calendar year 1944.

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, and Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, the following determination is hereby issued:

§ 802.24n *Fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in*

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FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

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Louisiana during the calendar year 1944. The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the production and cultivation of sugarcane in Louisiana during the period from January 1, 1944 to December 31, 1944 if all persons employed on the farm during that period in the production and cultivation of sugarcane shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) *On a time basis.* (1) For all work except as specified under (2), (3) and (4) below per 9-hour day:

Adult males	$2.05
Adult females	1.70
(2) Tractor drivers, per 9-hour day	2.55
(3) Teamsters, per 9-hour day	2.05
(4) Children between 14 and 16 years, per 8-hour day	1.55

For a working day longer or shorter than 9 hours for adult workers, (or 8 hours for children between 14 and 16 years) the rate shall be the hourly equivalent of the per day rate. Maximum employment per day for children 14 to 16 years is 8 hours.

(b) *On a piece rate basis.* For all classes of work performed on a piece rate basis the earnings per hour or per day shall be not less than the applicable rates per hour or per day specified under (a) above.

(c) *General provisions.* (1) If the producer and the laborer agree upon a wage rate for any class of work higher than prescribed herein, payment in full of the amount agreed upon must be made to qualify the producer for payment.

(2) The producer shall furnish to the laborer, without charge, the customary perquisites, such as a habitable house, a suitable garden plot with facilities for its cultivation, pasturage for livestock, medical attention, and similar incidentals.

(3) The producer shall not, through any subterfuge or device whatsoever reduce the wage rates to laborers below those determined above.

(Sec. 301, 50 Stat. 909; 7 U. S. C. 1940 ed. 1131; 8 F.R. 3807; 8 F.R. 5423)

Done at Washington, D. C., this 10th day of March, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3501; Filed, March 11, 1944; 3:43 p. m.]

Chapter IX—War Food Administration (Marketing Agreements and Orders)

PART 927—MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

SUSPENSION OF CERTAIN TIME PERIODS

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 1940 ed. 601 *et seq.*), hereinafter referred to as the "act," and of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, it is hereby determined that the provisions of such order which provide seasonal minimum prices for Class I milk during the months of April, May, and June, 1944, are provisions which obstruct and do not tend to effectuate the declared policy of the act with respect to producers of milk under such order.

It is, therefore, ordered, That the following provisions of § 927.4 (a) (1) of the order, as amended, regulating the handling of milk in the New York metropolitan marketing area, are hereby suspended for the period from the date hereof to June 30, 1944:

1. Designation of the periods "April through June" and "July through March," and

2. The prices established for the period "April through June."

Done at Washington, D. C., this 10th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3468; Filed, March 10, 1944; 3:59 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[FDO 76, Amdt. 1]

PART 1460—FATS AND OILS

CONSERVATION AND DISTRIBUTION OF WOOL FAT

Food Distribution Order No. 76 (8 F.R. 11465), § 1460.28, is amended as follows:

By inserting at the end of paragraph (a) thereof and as a part of said paragraph the following:

(9) "Cosmetics" means all products intended to be applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance, including, but not limited to, toilet soaps containing wool fat, shaving creams containing wool fat, hand lotions, after shaving lotions, and hair dressings and tonics.

This amendment shall become effective on March 10, 1944 at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order 76, or rights accrued or liabilities incurred thereunder, prior to said date, said Food Distribution Order 76 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of March 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-3467; Filed, March 10, 1944; 4:01 p. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter II—Office of Alien Property Custodian

[G. O. 30]

PART 503—GENERAL ORDERS

VALUATION OR RATE OF EXCHANGE OF MONETARY UNITS OF ENEMY COUNTRIES

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, having vested claims and rights of foreign countries and nationals thereof against citizens and residents of the United States, which claims and rights are, by contract or agreement made or entered into by the parties prior to such vesting, dischargeable by payment in monetary units of enemy countries; and

Finding that there does not now exist a free and open market or other reasonable means for ascertaining the true value, equivalent, or rate of exchange of such monetary units of enemy countries, and after considering rates of exchange certified to the Secretary of the Treasury by the Federal Reserve Bank of New York and other relevant factors; and

Determining that it is in the interest of and for the benefit of the United States to fix and prescribe a basis of computation in the premises, hereby issues the following regulation:

§ 503.30 *General Order No. 30.* (a) That for the purpose and solely for the purpose of discharging claims and rights of foreign countries and nationals thereof against citizens and residents of the United States which by contract or agreement made or entered into by the parties prior to vesting are dischargeable by paymeent in monetary units of certain enemy countries and which have heretofore been or shall hereafter be vested by the undersigned, the equivalent of the monetary units of such enemy countries shall be computed as follows:

(1) German Reichsmarks at forty (40) cents, United States currency, each.

(2) Japanese Yen at twenty three and four-tenths (23.4) cents, United States currency, each.

(3) Hungarian Pengo at nineteen and six-tenths (19.6) cents, United States currency, each.

(4) Bulgarian Lev at one and two-tenths (1.2) cent, United States currency, each.

(5) Rumanian Leu at seven tenths of one cent (0.7), United States currency, each.

(b) All persons now indebted or who shall hereafter be indebted to the undersigned on any claims as aforesaid are hereby ordered and directed to pay such debts, as they become due and payable, in United States currency, computed as above set forth.

(c) Any payment made and computed pursuant to this regulation shall be and constitute a full acquittance and discharge for all purposes of the person making the same for the obligation paid thereby.

(d) Nothing herein shall be deemed in any way to affect or alter any provisions of any contract or agreement made or

entered into by the parties prior to vesting by the undersigned whereby there is established a method of computing such equivalents.

(e) The undersigned reserve the right to vary or modify the foregoing basis of computation from time to time by General Order or by amendment hereto, or in specific cases upon a finding by the undersigned that application of this regulation would be inequitable.

(40 Stat. 411, 50 U.S.C. App.; 55 Stat. 839, 50 U.S.C. App. (Supp. 1941); E.O. 9193, 7 F.R. 5205)

Executed at Washington, D. C., on March 9, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3521; Filed, March 13, 1944; 11:12 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Amendment 04-1]

PART 04—AIRPLANE AIRWORTHINESS

INSTALLATION OF FLASHING RED AND WHITE TAIL LIGHTS IN NON-AIR CARRIER AIRCRAFT

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 8th day of March 1944.

Effective March 8, 1944, the last two sentences of § 04.5827 of the Civil Air Regulations are amended to read as follows:

Such light shall emit (a) in the case of a non-air carrier airplane, either a continuous white light as specified in § 15.2014 or alternate red and white flashes as specified in § 15.2015, and (b) in the case of an air carrier airplane, alternate red and white flashes as specified in § 15.2015. In lieu of such a single flashing rear position light, an airplane may carry two rear position lights, one red and one white, spaced as closely as possible to each other with one unit above the other and in combination emitting the red and white flashes specified in § 15.2015.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3517; Filed, March 13, 1944; 11:08 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter III—Proclaimed List of Certain Blocked Nationals

[Rev. VI, Cumulative Supp. 6]

ADMINISTRATIVE ORDER

By virtue of the authority vested in the Secretary of State, acting in conjunction with the Secretary of the Treasury, the Attorney General, the Secretary of Commerce, the Administrator of Foreign Economic Administration, and the Coordinator of Inter-American Affairs, by Proclamation 2497 of the President of July 17, 1941 (6 F.R. 3555), Cumulative Supplement 6 containing certain additions to, amendments to, and deletions from The Proclaimed List of Certain Blocked Nationals, Revision VI of October 7, 1943 (8 F. R. 13883), is hereby promulgated.[1]

By direction of the President.

CORDELL HULL,
Secretary of State,
RANDOLPH PAUL,
Acting Secretary of the Treasury,
FRANCIS BIDDLE,
Attorney General,
JESSE H. JONES,
Secretary of Commerce,
LEO T. CROWLEY,
Administrator,
Foreign Economic Administration.
JOHN E. LOCKWOOD,
Acting Coordinator of Inter-American Affairs.

MARCH 10, 1944.

[F. R. Doc. 44-3500; Filed, March 11, 1944; 3:39 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess-Profits Taxes

[T. D. 5339]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

NONRESIDENT ALIEN INDIVIDUALS AND NONRESIDENT FOREIGN CORPORATIONS

Amending §§ 29.217-1, 29.218-1, 29.235-1 and 29.236-1 of Regulations 111, relating to time for filing returns and payment of tax of nonresident alien individuals and nonresident foreign corporations for taxable periods of less than 12 months.

Regulations 111 [Part 29, Title 26, Code of Federal Regulations, 1943 Sup.] are amended as follows:

PARAGRAPH 1. Section 29.217-1, as amended by Treasury Decision 5305, approved November 12, 1943, is further amended as follows:

(A) By striking out the first sentence and inserting in lieu thereof the following:

The return in the case of a nonresident alien individual (but, as to taxable years beginning after December 31, 1942, only such individuals who do not have wages subject to withholding at the source under section 1622) must be made on or before the 15th day of the sixth full calendar month following the close of the taxable year, except that the return for a fractional part of a year ending prior to January 1, 1944, must be filed on or before June 15, 1944. In the case of any return for a fractional part of a year the Commissioner may, upon a showing by the taxpayer of unusual circumstances, prescribe a later time for the filing of the return, but such time shall not be later than the 15th day of the 18th full calendar month ending after the beginning of the fractional part of the year.

(B) By striking out the following words from the first sentence of the second paragraph:

on or before the 15th day of the sixth month following the close of the fiscal year or on or before the 15th day of June, if the taxpayer is on the basis of the calendar year,

PAR. 2. Section 29.218-1, as amended by Treasury Decision 5305, is further amended by striking out the first sentence and inserting in lieu thereof the following:

In the case of a nonresident alien individual (but, as to taxable years beginning after December 31, 1942, only such individuals who do not have wages subject to withholding under section 1622) the tax shall be paid on or before the date prescribed by the Internal Revenue Code and the regulations thereunder for filing of the return, without regard to any extension of time granted for the filing of the return under authority of section 53. See § 29.217-1.

PAR. 3. Section 29.235-1 (a) is amended by striking out the first sentence and inserting in lieu thereof the following:

The return in the case of a nonresident foreign corporation shall be made on or before the 15th day of the sixth full calendar month following the close of the taxable year, except that the return for a fractional part of a year ending prior to January 1, 1944, shall be made on or before June 15, 1944. In the case of any return for a fractional part of a year the Commissioner may, upon a showing by the taxpayer of unusual circumstances, prescribe a later time for the filing of the return, but such time shall not be later than the 15th day of the 18th full calendar month ending after the beginning of the fractional part of the year.

PAR. 4. Section 29.236-1 (a) is amended by striking out the first sentence and inserting in lieu thereof the following:

In the case of a nonresident foreign corporation the total amount of tax imposed by Chapter 1 shall be paid on or before the date prescribed by the Internal Revenue Code and the regulations thereunder for filing of the return, without regard to any extension of time granted for the filing of the return under authority of section 53. See § 29.235-1.

(Secs. 62, 217, 218, 235 and 236 of the Internal Revenue Code (53 Stat. 32, 77, and 79; 26 U.S.C., 1940 ed., 62, 217, 218, 235 and 236))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: March 9, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-3506; Filed, March 11, 1944; 4:06 p. m.]

[1] Filed with the Division of the Federal Register in The National Archives. Requests for printed copies should be addressed to the Federal Reserve Banks or the Department of State.

Subchapter C—Miscellaneous Excise Taxes

[T. D. 5338]

PART 197—DRAWBACK OF TAX ON DISTILLED SPIRITS USED IN THE MANUFACTURE OF NONBEVERAGE PRODUCTS

MISCELLANEOUS AMENDMENTS

1. Sections 301, 309 (b), 309 (c), 309 (d), and 309 (e) of the Revenue Act of 1943, passed February 25, 1944 (Public Law 235—78th Congress), read as follows:

SEC. 301 EFFECTIVE DATE OF THIS TITLE.

This title shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this Act.

SEC. 309 DRAWBACK ON DISTILLED SPIRITS.

* * * * *

(b) *Distilled spirits used in manufacture of certain nonbeverage products.* In lieu of the rate of drawback specified in section 3250 (1) (5) of the Internal Revenue Code, the rate applicable with respect to the period beginning with the effective date of Title III of the Revenue Act of 1943 and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war, shall be $6.00.

(c) *Distilled spirits with respect to which applicable.* Subsection (b) shall be applicable only with respect to distilled spirits on which the internal revenue tax was paid at the war tax rate, or at a rate equivalent to the war tax rate, specified in section 1650 of the Internal Revenue Code.

(d) *Time of eligibility for drawback with respect to distilled spirits used in manufacture of certain nonbeverage products.* Section 3250 (1) (1) relating to eligibility for drawback with respect to distilled spirits used in manufacture of certain nonbeverage products) is amended to read as follows:

(1) *In general.* Any person using distilled spirits produced in a domestic registered distillery or industrial alcohol plant and fully tax-paid in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, upon payment of a special tax per annum, shall be eligible for drawback at the time when such distilled spirits are used in the manufacture of such products and as hereinafter provided for.

(e) *Time for filing claim for drawback with respect to distilled spirits used prior to effective date of title III of act.* Distilled spirits used prior to the effective date of this title in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, and which are not covered by any claim filed in conformity with law prior to such effective date, shall be regarded as so used during the quarter in which such effective date occurs, and the claim filed by any person for such quarter shall include the drawback claimed with respect to such distilled spirits: *Provided,* That no claim shall be allowed which was barred by any provision of any prior law.

2. Pursuant to the above provisions of law and sections 3250 (1) (3) and 4041 (a), Internal Revenue Code, Regulations 29 (26 CFR, part 197) are hereby amended in these respects:

3. Section 197.27 is revoked.

4. Sections 197.1, 197.2, 197.3, 197.5, 197.6, 197.8, 197.20, 197.21, 197.22, 197.23, 197.24, and 197.25 are amended to read as follows:

§ 197.1 *Scope.* These regulations govern the allowance of drawback of internal revenue tax on fully taxpaid domestic distilled spirits used in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, and the payment of special tax per annum in order to be eligible to claim drawback. (Sec. 3250 (1) (I.R.C.)

§ 197.2 *Definition of term "domestic distilled spirits."* Domestic distilled spirits are spirits produced in registered distilleries, including fruit distilleries, and industrial alcohol plants established and operated under internal revenue laws and regulations. (Sec. 3250 (1), I.R.C.)

§ 197.3 *Terms used in the statute—* (a) *"Fully taxpaid."* Distilled spirits shall be deemed to have been "fully taxpaid" when the internal revenue tax imposed and levied in respect thereto has been paid at the rates provided by law.

(b) *"Used."* Distilled spirits shall be deemed to have been "used" in the manufacture of a product designated in section 3250 (1), Internal Revenue Code, when such spirits are either consumed in such manufacture or are incorporated in the product: *Provided,* That spirits lost by causes such as spillage, leakage, breakage or theft, prior to or during the process of manufacture, shall not be deemed to be consumed in such manufacture.

(c) *"Time."* The "time" at which distilled spirits shall be deemed to have been used is when the product contains the ingredients called for by an approved formula, or formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency, as the case may be. (Sec. 3250 (1), I.R.C.)

§ 197.5 *Payment of special tax required.* Each person, partnership, or corporation that uses distilled spirits in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, in order to be eligible to claim the drawback on the distilled spirits so used, must pay special tax at the rate of $25 per annum for total annual withdrawals not exceeding 25 proof gallons of distilled spirits; $50 per annum for total annual withdrawals not exceeding 50 proof gallons; or $100 per annum for total annual withdrawals of more than 50 proof gallons. The year means the period from July 1 of each year to June 30 following. The manufacturer is not required to pay the special tax if he does not claim drawback on the distilled spirits used by him. (Secs. 3250 (1) and 4041 (a), I.R.C.)

§ 197.6 *Special tax for each place.* A separate special tax must be paid for each place at which distilled spirits are used in the manufacture or production of nonbeverage products if a claim is filed for drawback of tax on distilled spirits so used at each such place. (Secs. 3250 (1) and 4041 (a), I.R.C.)

§ 197.8 *Rates of special tax.* The rates of special tax per annum (July 1 of each year to June 30 following) are (a) $25 for total annual withdrawals not exceeding 25 proof gallons of distilled spirits; (b) $50 for total annual withdrawals not exceeding 50 proof gallons; and (c) $100 for total annual withdrawals of more than 50 proof gallons. The term "total annual withdrawals" means the total quantity of distilled spirits in proof gallons removed from the stocks of the manufacturer for use in the manufacture or production of nonbeverage products during the fiscal year for which the special tax is paid. Special tax, based upon estimated withdrawals, may be paid in advance of actual withdrawals. Where a claim is presented in any fiscal year other than the fiscal year in which the spirits were withdrawn, and special tax has not been paid for the fiscal year in which the claim is filed, it must be paid in at least the minimum amount at the time of filing the claim. Adjustments of the special tax where improperly paid will be made in accordance with § 197.17. (Secs. 3250 (1) and 4041 (a), I.R.C.)

§ 197.20 *Drawback.* Drawback at the rate specified by law on each proof gallon of distilled spirits used in the manufacture of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, will be allowed to any person who has become eligible for such drawback, and upon the filing of a claim therefor as hereinafter provided. (Sec. 3250 (1), I.R.C.)

§ 197.21 *Claims.* The claim shall be filed on Form 843, "Claim," in triplicate, with the Collector of Internal Revenue for the district in which the place of manufacture is located, and shall pertain only to distilled spirits used in the manufacture or production of nonbeverage products during any one quarter of the fiscal year, and only one claim may be filed for each quarter. (Sec. 3250 (1), I.R.C.)

§ 197.22 *Date of filing claim.* The claim must be filed with the Collector of Internal Revenue within the three months next succeeding the quarter in which the distilled spirits covered by the claim were used in the manufacture of nonbeverage products. No claim will be allowed unless received by the Collector within the time so stated. Sec. 3250 (1), I.R.C.)

§ 197.23 *Information to be shown by the claim.* The claim must set forth, under oath, the following:

(a) That the special tax has been paid.

(b) That the distilled spirits on which drawback is claimed were fully taxpaid and were produced in a domestic registered distillery or an industrial alcohol plant.

(c) That the distilled spirits on which the drawback is claimed were used in the

manufacture or production of nonbeverage products.

(d) That the nonbeverage products were manufactured in compliance with (1) quantitative formulas filed with the claim, or (2) quantitative formulas on file with the Commissioner, or (3) formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or (4), if a flavoring extract, the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency.

(e) That the data submitted in support of the claim are correct. (Sec. 3250 (l) I.R.C.)

§ 197.24 *Supporting data.* Each claim will be accompanied by the following data. The statements of supporting data shall be prepared in duplicate and one copy attached to the original and duplicate copies of the claim.

(a) Data with respect to payment of special tax: A statement showing (1) serial number of special tax stamp, (2) denomination, (3) fiscal year for which issued, (4) date of issuance, and (5) collection district where issued.

(b) Data with respect to tax payment and receipt of the distilled spirits on which the draw-back is claimed:

(1) If the distilled spirits were received in tank cars, a statement showing date of receipt, the name and address of the vendor, the serial number of the certificate of tax payment (Form 1595), the date of issuance of the certificate, and the name of the producer, kind, quantity, and proof of the spirits.

(2) If the distilled spirits were received in containers, such as barrels, drums, cans, or cases, bearing taxpaid stamps, a statement showing the date of receipt, the name and address of the vendor, the serial number of the taxpaid stamp affixed to the container, the date of tax-payment appearing on the stamp, the serial number, if any, of the container, and the name of the producer, kind, quantity, and proof of the spirits. (When the package is emptied, the stamp shall be scalped and attached to the next claim filed for drawback on the spirits which were in such package. The scalped stamp will be retained by the District Supervisor with the claims record of the claimant.)

(3) If the distilled spirits were received in bottles, a statement showing the date of receipt, the name and address of the vendor, the serial number of the strip stamp affixed over the mouth and neck of the bottle, and the name of the bottler, kind, quantity, and proof of the spirits.

(c) Data with respect to use of distilled spirits upon which drawback is claimed in the manufacture of nonbeverage products:

(1) A statement showing the name, description, and formula number, if any, of each nonbeverage product in the manufacture of which distilled spirits were used, the alcoholic content by volume of each such product, the number of proof gallons and kind of distilled spirits used in manufacture thereof, and the quantity produced.

(2) If the claim is the first one filed with respect to any one product involved in the claim, the quantitative formula for each such product, serially numbered, beginning with number 1, shall be attached to the claim; except that such quantitative formula need not be given if the product is a medicinal preparation, tincture, or fluid extract produced under formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or is a flavoring extract manufactured in accordance with the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency, and such products are identified in the statement by the letters "U. S. P.," "N. F.," "A. I. H.," or "U. S. F. D. A.," as the case may be. Subsequent claims for drawback covering a product for which a formula has been filed need not be accompanied by the quantitative formula, unless there has been a modification or revision thereof. Where there has been no change, the claimant will refer to the serial number given the formula. The serial numbers of formulas appearing in subsequent claims will follow former serial numbers in sequence. In the case of food products, such as preserved fruits, cakes, buns, soups, etc., it will be sufficient to show the quantity of proof gallons of distilled spirits used in the production of a given quantity of finished product.

(d) Summary of distilled spirits:

A statement showing the total quantity of all distilled spirits and recovered spirits on hand at the beginning of the quarter, quantity in process beginning of the quarter, quantity received during the quarter, quantity withdrawn for use during the quarter in the manufacture of nonbeverage products subject to drawback, quantity otherwise withdrawn not subject to drawback, quantity in process at the end of the quarter, and the quantity remaining on hand at the end of the quarter. Distilled spirits in process will include spirits represented in unfinished nonbeverage products, intermediates, mixtures, menstruums, etc., or any other spirits which have been withdrawn for use but have not been used as provided in § 197.3 (c). Any discrepancy between the amount of distilled spirits on hand at the end of the quarter and the amount which should be on hand must be reported in the summary with an explanation of the cause thereof.

(e) Any other data, which the Commissioner may, at his discretion, require when such data is deemed necessary for use in connection with the proper consideration of the claim for drawback. (Sec. 3250 (l), I.R.C.)

§ 197.25 *Handling of claims.* The Collector will date-stamp each copy of the claim, Form 843, and after recording, will forward the original and duplicate copies thereof, and the original and duplicate copies of the supporting data, to the District Supervisor, Alcohol Tax Unit, and retain for his files the triplicate copy of Form 843 only. The District Supervisor will examine the claim for the purpose of determining whether it is properly executed and that all supporting data have been submitted. (Sec. 4041 (a), I.R.C.)

5. The following sections are added:

Miscellaneous Provisions

§ 197.33 *Drawback on distilled spirits taxpaid at the rate of $6.00 per proof gallon.*—(a) *Distilled spirits used in manufacture of products on hand April 1, 1944.* Nonbeverage products manufactured prior to April 1, 1944, from distilled spirits taxpaid at the rate of $6.00 per proof gallon, and which are not covered by any claim for drawback filed in conformity with law prior to such date, shall be subject to drawback of tax at the rate of $3.75 on the distilled spirits used in the manufacture thereof, without regard to sale or transfer of the products, and such drawback must be included in the claim filed by the manufacturer for the quarter April 1, 1944 to June 30, 1944, *Provided,* That no claim for drawback barred by the statute shall be allowed.

(b) *Distilled spirits in process on April 1, 1944.* Distilled spirits taxpaid at the rate of $6.00 per proof gallon which, on April 1, 1944, are in the process of manufacture, and which have lost their identity as distilled spirits, and therefore, are not subject to the floor stocks tax, shall be eligible for drawback of tax at the rate of $3.75 per proof gallon when the product manufactured therefrom contains the ingredients called for by an approved formula, or formulas prescribed by the United States Pharmacopeia, the National Formulary, or the American Institute of Homeopathy, or the advisory standards for flavoring extracts of the United States Food and Drug Administration, Federal Security Agency, as the case may be. Claim for drawback of the tax in such case must be filed in the quarter next succeeding the quarter in which such manufacture is completed as provided in § 197.3 (c). (Sec. 3250 (l), I.R.C.)

§ 197.34 *Inventory as of April 1, 1944.* Each manufacturer intending to claim drawback shall prepare in triplicate an inventory showing separately all distilled spirits, finished products, recovered distilled spirits, unfinished products, intermediates, and mixtures, containing distilled spirits to be made subject of drawbacks, which are in his possession or held by him on April 1, 1944. The original and duplicate copies of the inventory will be forwarded immediately to the District Supervisor, Alcohol Tax Unit, for the district in which the place of manufacture is located, and the triplicate copy shall be retained by the manufacturer at his premises available for examination by Government officers. The District Supervisor will forward one copy of the inventory to the Commissioner with the drawback claim filed by the claimant for the quarterly period.

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner.

Approved: March 9, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R Doc. 44-3505; Filed, March 11, 1944; 4:06 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amendment 155]

PART 802—GENERAL LICENSES

GENERAL LICENSE FOR MEXICAN BORDER ZONE

Part 802, General Licenses, is hereby amended by adding thereto § 802.26 *General license "G–MB"* as follows:

§ 802.26 *General license "G–MB"*—(a) *Definitions.* When used in this section:

(1) "Mexican Border Zone" shall mean that area in Mexico within fifty miles south of and along the entire United States border.

(2) "United States Border Zone" shall mean that area in the United States within twenty miles of and along the entire Mexican border.

(3) "United States Consular Certificate" shall mean a document signed by a United States Consul in the Mexican Border Zone certifying the eligibility of the applicant to use this general license and to be valid for a period of ten days from date of issuance.

(4) "Replacement parts" shall mean any part or parts for the repair or maintenance of the following classifications of machinery and equipment which are obtainable without a preference rating issued or authorized by the War Production Board:

Classification	*Schedule B numbers*
Electrical machinery and apparatus:	
Generators; armatures, accessories, welding sets, lighting sets	7000.05 thru 7012.00
Capacitators; ½ kilovolt ampere and larger	7019.00
Transforming or converting apparatus	7021.00 thru 7028.00
Transmission and distribution apparatus	7030.00 thru 7039.00
Motors, starters and controllers	7040.00 thru 7055.98
Portable electric tools	7056.00 thru 7056.98
Electric refrigerators and parts	7057.00 thru 7059.00
Electrical appliances (except X-ray tubes 7075.10)	7060.00 thru 7075.90
Telegraph apparatus and parts	7082.00
Telephone apparatus	7083.00 thru 7087.00
Commutators	7099.90
Measuring machines	7099.93
Parts of electric power-driven portable tools for metal-working machinery	7099.94
Parts of electric welding sets	7099.95
Electric hair-waving machines (all kinds containing mica)	7099.96
Other electric apparatus and parts	7099.98
Machinery, industrial:	
Power generating except electric and automotive; (except boiler gauge glass tubes containing mica 7139.05)	7111.00 thru 7163.00
Construction and conveying	7201.00 thru 7291.00
Mining, well, and pumping	7305.00 thru 7369.98
Metal-working (except diamond dies 7455.03)	7400.00 thru 7458.98
Textile sewing, and shoe	7500.00 thru 7575.00
Industrial (except ball and roller bearings 7691.00 through 7693.00)	7590.00 thru 7750.98
Office appliances:	
All	7752.00 thru 7779.00
Printing and bookbinding machinery:	
All	7790.00 thru 7795.00
Agricultural machinery and implements:	
All	7800.00 thru 7899.98
Watercraft:	
All, other than naval and merchant vessels	7956.91 thru 7956.95
Engine, marine, internal combustion	7957.00 thru 7959.00
Propellers and blades; boat (brass or bronze)	7999.93
Wagons and drays	7975.00

(5) "Value" shall mean the actual invoice or purchase price (exclusive of shipping charges) paid or payable by the applicant for such replacement parts in the United States Border Zone.

(b) A general license designated "G–MB" is hereby granted to persons having residence or a place or business in the Mexican Border Zone authorizing the exportation to the Mexican Border Zone of replacement parts as defined in paragraph (a) (4) of this section, purchased in the United States Border Zone, *Provided*, That

(1) A valid United States Consular Certificate and a Shipper's Export Declaration are presented to the Collector of Customs at the port or place of exit prior to or at the time of exportation.

(2) Such replacement parts are: (i) Not for resale; (ii) to be used only within the Mexican Border Zone for necessary repair or maintenance of applicant's existing equipment in order to enable the continuance of usual business operations of the applicant, and not for assembly into additional equipment; and (iii) the total value of shipments under each United States Consular Certificate issued pursuant to this general license shall not exceed $100 United States currency.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: March 10, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44–3515; Filed, March 13, 1944; 11:05 a. m.]

[Amendment 156]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars: In the column headed "General License Group" the group and country designations assigned to the commodities listed below, at every place where said commodities appear in said section, are hereby amended to read as follows:

Commodity and Department of Commerce No.	*General License Group*
Grains and Preparations:	
Biscuits & crackers, 1078.00	None
Cereal foods, n. e. s., 1095.00	None
Corn (bu. 56 lbs.), 1031.00	None
Wheat cereal foods, ready to eat (include wheat germ), 1080.00	None
Wheat cereal foods, to be cooked, 1081.00	None
Wheat flour, wholly of U. S. wheat, 1073.00	None
Wheat flour, other, 1074.00	None
Wheat Semolina, 1090.00	None
Other grains and preparations, 1099.00	None
Petroleum Products:	
Naphtha, mineral spirits, blending agents, solvents, petroleum ether, and other light products, 5019.00	—
Aliphatic naphthas, 5019.00	None
Other naphthas, mineral spirits, solvents, and other light products, including petroleum ether (exclude aliphatic naphthas), 5019.00	None
Synthetic Textiles:	
Braids, fringes narrow trimmings, rayon, 3858.55	K
Braids, fringes narrow trimmings, of other synthetic textiles, 3958.58	K
Ribbons (include woven labels), 3858.10	K
Vegetable Fibers:	
Manufactures of other vegetable fibers, straw or grass manufactures, 3499.98	—
Manila yarn, 3499.98	None
Other vegetable fiber, straw, or grass manufactures, n. e. s. (excluding manila yarn), 3499.98	K

Shipments of the above commodities which are on dock, on lighter, laden aboard the exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment, may be exported under the previous general license provisions. Shipments moving to a vessel subsequent to the effective date of this amendment pursuant Office of Defense Transportation permits issued prior to such date may also be exported under the previous general license provisions. With respect to those commodities listed under the headings "Grains and Preparations" and "Petroleum Products" this amendment shall become effective April 1, 1944.

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 638, 77th Cong.; E.O. 9361, 8 F.R. 9861; Order 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority 20, 8 F.R. 16235; Delegation of Authority 21, 8 F.R. 16320)

Dated: March 13, 1944.

S. H. LEBENSBURGER,
Director, Requirements and Supply Branch, Bureau of Supplies.

[F. R. Doc. 44–3516; Filed, March 13, 1944; 11:05 a. m.]

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[General Limitation Order L–292, as Amended Mar. 11, 1944]

FOOD PROCESSING MACHINERY

The fulfillment of the requirements for the defense of the United States has created a shortage in the supply of materials used in the production of food processing machinery, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.77 *General Limitation Order L–292*—(a) *Definitions.* For the purpose of this order:

(1) "Processor" means any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods or tobacco for distribution, including the operation of a food processing plant on a farm. It does not include (i) a person to the extent that he engages in the production or raising of crops, livestock, or other farm produce; or (ii) a person to the extent that he prepares food for consumption on the premises (such as a hotel or restaurant), or distributes it at retail (such as a grocery or retail meat market); or (iii) governmental agencies processing food for governmental use, hospitals, charitable institutions processing food for their own use, or educational institutions.

(2) "Food processing machinery" means new machinery and equipment, of the kinds specified in Schedule A with a retail sales value of $50 or more for each machine or piece of equipment, excluding (i) refrigerating machinery and equipment as defined in Limitation Order L–38, (ii) machinery and equipment used on a farm for production of food or tobacco or on a fishing vessel for handling food, prior to delivery to a processor, (iii) scales and balances as defined in limitation Order L–190, (iv) conveying machinery as defined in Limitation Order L–193, (v) machinery and equipment used for packaging, filling or labelling containers, except as otherwise indicated in Schedule A, (vi) oil processing machinery and equipment used in processing animal, fish and vegetable fats, oils and greases, and (vii) water filters as water-treating equipment.

(3) "Manufacturer" means any person engaged in the making or assembling of food processing machinery; and includes his subsidiaries and affiliates in the same business.

(4) "Dealer" means any person except a manufacturer engaged in the business of buying and reselling food processing machinery.

(5) "Approved order" means any order for delivery (under sale, lease, consignment or otherwise) of food processing machinery bearing (i) a rating of AA–5 or higher assigned on any WPB Form listed in paragraph (c) or (ii) a CMP Regulation 5 or 5A rating applied to replace an existing piece of machinery of substantially the same size and capacity, worn out or damaged beyond repair.

(b) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of food processing machinery except on an approved order. Any person who places an approved order shall in addition to the certification used in applying the rating (Priorities Regulation 3 or 7) give the form number upon which he received the rating, or if the rating was assigned by CMP Regulation 5 or 5A, he shall add to the certification a statement substantially as follows: "This rating was assigned by CMP Regulation 5 (or 5A) and the machinery is ordered to replace other machinery of substantially the same size and capacity, worn out or damaged beyond repair."

(2) The restrictions of subparagraph (1) above shall not apply to: (i) deliveries to a manufacturer or dealer to enable him to fill approved orders which he has actually received, or to replace in inventory machinery delivered by him to fill approved orders, (ii) delivery of food processing machinery to be used directly by the Army, Navy, Maritime Commission, or War Shipping Administration, or (iii) delivery to a manufacturer of food processing machinery to be incorporated into other food processing machinery.

(c) *Instructions for obtaining an approved order other than pursuant to a CMP Regulation.* (1) Processors seeking food processing machinery for delivery within the United States or Canada, in order to get a rating should file:

(i) Form WPB–617 with the War Production Board for any food processing machinery which is to be installed as part of a project approved under Order L–41.

(ii) Form WPB–748 with the War Food Administration for all other dairy, egg or poultry processing equipment.

(iii) Form WPB–576 with the War Food Administration for all other canning machinery or equipment.

(iv) Form WPB–3155 with the War Food Administration for all other meat canning, meat packing and meat processing machinery or equipment.

(v) Form WPB–541 with the War Production Board for any other food processing machinery.

(2) All persons, other than processors, seeking any food processing machinery for delivery within the United States or Canada should file Form WPB–541 with the War Production Board.

(3) All persons, including processors, seeking any food processing machinery for export by them to other than Canada should file Form WPB–541 with the War Production Board.

(d) *Restrictions on manufacture.* No manufacturer shall make or assemble any new food processing machinery or equipment of the kinds listed on Schedule B except as permitted by production quotas assigned under paragraph (f) of this order. The limitations and restrictions of this paragraph shall not apply to the manufacture of any food processing machine or piece of equipment for which parts weighing, in the aggregate, not less than 75% of the weight of the finished machine or piece of equipment were made before June 5, 1943.

(e) *Conservation of critical materials.* No person shall use stainless steel or tin, copper or copper base alloys, secondary copper-nickel alloys (white metal) made from scrap or remelt, nickel or chromium, in the manufacture or assembly of any food processing machinery for dairy, egg, poultry, or canning purposes, except in contact parts or corrosion points. (As used herein "contact parts" means those parts which come in direct contact with any food products. "Corrosion points" mean those parts or fittings, stationary or movable, which are exposed to corrosive action from food products, water or brine and which, if corroded, will interfere with the normal operation of the machinery or equipment.) These restrictions on the use of materials shall not apply to repair parts for food processing machinery produced before June 30, 1943, if parts made of other material would not be interchangeable with the parts to be repaired or replaced. This paragraph also does not restrict the use of copper and copper-base alloys in electrical conductors, bearings, valves, instruments, motors, worm driven gears, and cappers.

(f) *Production quotas.* The War Production Board may at any time issue schedules as amendments to this order, fixing production quotas for certain types of food processing machinery. From the effective date of any such schedule no manufacturer may carry on production except as permitted by the schedule or schedules applicable to the food processing machinery made or assembled by him. The reference to "quota provisions of paragraph (g) (2) (ii) of Order L–292" in schedules issued by the War Production Board before March 11, 1944 shall, for the purpose of such schedules, mean this paragraph (f) of Order L–292.

(g) *Miscellaneous provisions*—(1) *Reports.* On or before the 20th day of each calendar month, each manufacturer shall file a report on Form WPB–2721. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, in triplicate, referring to the particular provisions appealed from and stating fully the grounds of the appeal. The letter must be filed with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(5) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, General Industrial Equipment Division, Washington 25, D. C., Ref: L-292.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Machinery and equipment included in definition of "Food Processing Machinery" under paragraph (a) (2).

1. Baking and macaroni processing machinery and equipment. This term includes all preparation and processing machinery and equipment, and slicing and wrapping machinery used in commercial bakeries.

2. Brewing and winery machinery and equipment, including bottling, bottle capping and bottle labeling machinery and equipment but excluding refrigeration machinery and equipment.

3. Canning machinery and equipment. This term includes all preparation machinery and equipment, filling, labeling and casing machinery, and change parts for different can or container sizes, used in the canning, freezing, and fresh packing of fruits, vegetables, fishery products (including fishery by-products) and all other human or animal food. It also includes preparation machinery and equipment used for dehydrating such foods. It does not include (i) preparation equipment for meat and meat products (ii) home canning and home dehydrating equipment (iii) container sealing and closing and jar capping machines (iv) refrigerating equipment, and (v) steam jacketed kettles regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, as governed by Limitation Order L-182. (Machinery for filling, labeling and casing dehydrated foods is covered by Order L-332.)

4. Coconut shredding and processing equipment.

5. Coffee, tea, cocoa, and spice grinding and processing equipment, 1 H. P. and larger.

6. Confectioner machinery and equipment.

7. Dairy, egg and poultry processing machinery and equipment used in the commercial processing of milk and milk products, eggs and poultry, including bottling, bottle capping and bottle labeling machinery and equipment and wrapping machinery but excluding (i) machinery or equipment used on a farm for the production and handling of milk, eggs or poultry prior to delivery to a processor and (ii) machinery or equipment covered by the provisions of Limitation Order L-257.

8. Flour, grain, feed milling and processing machinery and equipment and seed cleaning equipment.

9. [Deleted Nov. 22, 1943]

10. [Deleted Mar. 11, 1944]

11. Meat canning, meat packing and meat processing machinery and equipment. This term includes power-driven disc and blade saws (of fractional horsepower or more), band saws (1 horsepower or more), slicers (1 horsepower or more), and grinders (1 horsepower or more), and all other machinery and equipment used in the preparation and processing of meat products, filling, labelling and casing machinery, except (i) home canning equipment, (ii) container sealing and closing and jar capping machines, and (iii) refrigeration equipment.

12. Non-alcoholic beverage manufacturing machinery and equipment including bottling, bottle capping and bottle labelling machinery and equipment but excluding refrigeration machinery and equipment.

13. Sugar processing machinery and equipment.

14. Tobacco processing machinery and equipment, including wrapping machinery.

15. [Deleted Mar. 11, 1944]

SCHEDULE B

Food Processing Machinery and Equipment which cannot be manufactured unless specifically provided for under the terms of paragraph (f).

1. [Deleted Mar. 11, 1944]
2. [Deleted Mar. 11, 1944]
3. All coconut shredding and processing equipment.
4. Coffee, tea, cocoa and spice grinding and processing equipment except equipment by and for the direct use of the Army, Navy, Maritime Commission and War Shipping Administration, and except equipment used in the manufacture of soluble and dehydrated coffee.
5. All confectionery machinery.
6. [Deleted Mar. 11, 1944]
7. [Deleted Mar. 11, 1944]
8. [Deleted Mar. 11, 1944]
9. [Deleted Mar. 11, 1944]
10. [Deleted Mar. 11, 1944]
11. [Deleted Mar. 11, 1944]
12. [Deleted Mar. 11, 1944]
13. [Deleted Mar. 11, 1944]
14. Tobacco processing machinery and equipment, including wrapping machinery.

SCHEDULE C

[Deleted Mar. 11, 1944]

SCHEDULE D

[Deleted Mar. 11, 1944]

[F. R. Doc. 44-3480; Filed, March 11, 1944; 11:25 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L-292, Quota Schedule I, as Amended Mar. 11, 1944]

PRODUCTION QUOTAS FOR DAIRY MACHINERY AND EQUIPMENT

§ 1226.78 *Production quotas for dairy machinery and equipment*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for certain items of dairy processing machinery and equipment for the year beginning October 1, 1943, and ending September 30, 1944. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L-292 with respect to those items.

(b) *Definition.* "Base production" means the annual average number of units of any item of dairy machinery or equipment produced by a manufacturer during the years 1939, 1940 and 1941.

(c) *Production quotas.* During the year beginning October 1, 1943, and ending September 30, 1944, no manufacturer shall fabricate or assemble more units of any type of new dairy machinery or equipment listed below than the quota percentage of his base production of each type.

PRODUCTION QUOTAS

The first column assigns a code number to each type of machinery and equipment.

The second column describes the types of machinery and equipment covered by this schedule.

The third column shows the quota percentage that each manufacturer is allowed. Where an asterisk appears instead of a quota percentage, a manufacturer may build the item opposite the asterisk only upon receipt of an approved order as defined in paragraph (a) (5) of Limitation Order L-292.

Machine Code No.	Type of machine	Quota percent
203.001	Agitators, cheese vat	105
203.002 A-D	Babcock testers	100
203.003	Batch measures and weighers	*
203.004-005	Butter cutters, hand or power driven.	75
203.006	Butter wrappers	50
203.008A	Cappers for dairy products (not installed on filler) single head.	100
203.008B	Hooders for milk bottles	*
203.009	Case washers (milk bottles)	*
203.010	Cheese grinders or curd mills	110
203.011 A-F	Cheese hoops	115
203.012 A	Cheese pasteurizers, tubular	280
203.012 B-E	Cheese pasteurizers, plate	950
203.013 A-C	Cheese presses	105
203.014 A-E	Cheese vats	100
203.015 A-C	Clarifiers	75
203.016 A-F	Internal tube and surface type coolers.	150
203.116 A-D	Cabinet surface type	100
203.116 E-H	Plate type	205
203.017 A-D	Churns	100
203.018 A	Dehydrators, spray type	300
203.018 B-D	Dehydrators, roll type	550
203.019 A-I	Fillers	100
203.020	Filters for milk and eggs	125
203.021	Flavor tanks for ice cream mix	25
203.022	Forewarmers, coil	150
203.023 A-D	Freezers, ice cream	25
203.024	Fruit feeders, ice cream	25
203.025	Fittings, sanitary	100
203.026 A-E	Homogenizers	85
203.027	Hot wells	315
203.028	Ice cream cup fillers	*
203.029	Ice cream package fillers	*
203.030	Ice cream coating and dipping machines	*
203.031	Ice cream brick cutters	*
203.032	Ice cream novelty machines	*
203.033	Ice crushers	*
203.034	Milk irradiators	*
203.035	Paper bottle filling machines	*
203.036 A-B	Paraffining equipment	100
203.037 A-D	Pasteurizers, coil	130
203.037 E-H	Pasteurizers, plate	200
203.137 A-G	Pasteurizers, vat and starter can.	85
203.038	Pulverizers for powdered milk	*
203.039 A-E	Pumps, sanitary	125
203.040	Samplers, vacuum milk	*
203.041 A-G	Separators	195
203.042	Soft curd machines	*
203.044 A-E	Storage tanks	210
203.044 F-H	Storage tanks, uninsulated	120
203.144 A-E	Refrigerated storage tanks	*
203.046 A	Washers, hand milk bottle	120
203.046 B	Washers, 1, 2 and 3 compartment sinks.	150
203.046 C	Washers, san. pipe wash outfit with tank.	120
203.046 D	Washers, separator parts wash outfit with tank.	300
203.047 A&B	Washers, milk bottle (in the case type) or (hydraulic).	100
203.047 C-G	Washers, soaker type	120
203.147 A	Washers, sterilizer, milk can, pedestal type.	*
203.147 B-F	Washers, rotary and straight-away.	150
203.048 A-E	Weigh cans and weighing units	160
203.049	Vacuum pans	140
	All others	80

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of dairy machinery or equipment to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada, or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions issued to any manufacturer or class of manufacturers, increase or decrease any quota established by this schedule and may transfer any portions of a quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L–292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L–292 as amended from time to time.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3481; Filed, March 11, 1944; 11:24 a. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Limitation Order L–292, Quota Schedule VIII]

PRODUCTION QUOTAS FOR BREWING, WINERY AND BEVERAGE MACHINERY AND EQUIPMENT

§ 1226.81d *Production quotas for brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment)*—(a) *Purpose of this schedule.* The purpose of this schedule is to fix production quotas for brewing, winery and beverage machinery and equipment (except refrigeration machinery and equipment) for the year beginning October 1, 1943, and ending September 30, 1944, inclusive. The quotas described in this schedule shall take the place of the quota provisions of paragraph (f) of Order L–292 with respect to those items.

(b) *Definitions.* (1) "Base period use" means the annual average tonnage of controlled materials used to complete items of brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment) during the years 1939, 1940 and 1941.

(2) "Controlled material" means controlled material as defined in CMP Regulation 1.

(c) *Production quotas.* During the year beginning October 1, 1943, and ending September 30, 1944, no manufacturer shall use more controlled materials to fabricate or assemble brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment, but excluding refrigeration machinery and equipment) in any class than the quota percentage of his base period use for each class of machinery and equipment as set forth in the table below.

PRODUCTION QUOTAS

The first column describes each class of machinery covered by this schedule.

The second column describes the various types of machinery and equipment included in each class of machinery.

The third column asigns a code number to each type of machinery and equipment.

The fourth column shows the quota percentage that each manufacturer is allowed.

Class of machinery	Type of machine	Machine code No.	Quota percent
Brewhouse machinery.	Beer barrel racker	478. 001	10
	Beer kettles	478. 002	
	Beer mash tubs	478. 003	
	Carbonators (beer)	478. 013	
	Carbonic acid gas fixtures.	478. 014	
	Coolers (brewery)	478. 015	
	Filter, beer	478. 017	
	Hop strainers	478. 022	
	Tanks (brewery)	478. 024	
	Reducers	478. 026	
	Cookers	478. 027	
	Beer and wort coolers.	478. 028	
	Keg washers	478. 029	
	Hoop drivers	478. 030	
	Pitch machines	478. 031	
	Yeast dryers	478. 032	
	Yeast separators	478. 033	
	Malt manufacturing equipment.	478. 034	
	Malt mills	478. 035	
	All others		
Bottling line equipment.	Bottle mixers	478. 004	25
	Bottle accumulating tables.	478. 005	
	Bottle casers	478. 006	
	Bottle fillers	478. 007	
	Bottle inspection units.	478. 008	
	Bottle labeling machines.	748. 009	
	Bottle rinsers	478. 010	
	Deaerators and synchrometers.	478. 011	
	Bottle washers	478. 012	
	Carbonators	478. 013	
	Carbonic acid gas fixtures.	478. 014	
	Coolers (water)	478. 015	
	Crowners	478. 016	
	Pasteurizers	478. 020	
	Special bottle conveyor.	478. 021	
	All others		
Syrup - mixing and handling equipment.			10
	Filter, syrup	478. 018	
	Syrup mixers	478. 023	
	Tanks	478. 024	
	Syrup pumps	478. 036	
	All others		

(d) *Exceptions.* The quota provisions of paragraph (c) above do not restrict the fabrication or assembly of brewing, winery and beverage machinery and equipment (including bottling, bottle capping and bottle labelling machinery and equipment) to fill specific orders actually received by a manufacturer for export outside the territorial limits of the United States and Canada or for direct use by the Army, Navy, Maritime Commission or War Shipping Administration.

(e) *Increase, decrease and transfer of quotas.* The War Production Board may, by specific written directions, issued to any manufacturer or class of manufacturers, increase or decrease any quota established on this schedule and may transfer any portions of the quota between manufacturers, taking into consideration the amount of materials to be used, the need for particular items at the time required, the labor and transportation situation in the manufacturing areas involved, the inability of any manufacturer to manufacture his quota, and such other factors as may be relevant.

(f) *Applicability of Limitation Order L–292.* Except as otherwise indicated herein, this schedule is subject to all applicable provisions of Limitation Order L–292, as amended from time to time.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3482; Filed, March 11, 1944; 11:24 a. m.]

PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Limitation Order L–211, Schedule 11 as Amended Mar. 11, 1944]

STEEL PRESSURE PIPE

§ 3102.12 *Schedule 11 to Limitation Order L–211*—(a) *Purpose and scope.* This schedule prescribes certain standards for the manufacture of steel pressure pipe, as herein defined. The schedule does not relate to use; steel pressure pipe made in accordance with this schedule may be used for any purpose, subject to any restrictions contained in other War Production Board orders.

(b) *Definitions.* For the purpose of this schedule:

(1) "Steel pressure pipe" means carbon and alloy steel pipe applicable for conveying fluids at normal or elevated temperatures or pressures. The term does not include steel pressure tubes or steel pipe as defined in Schedules 12 and 13 to Limitation Order L–211, or alloy steel pipe containing more than 10 percent chromium or recoil tubing.

(2) "Government order" means an order placed:

(i) By the government of the United States or any department or agency thereof, or

(ii) By any other person covering material to be physically incorporated into material to be delivered to such government, department, or agency, or

(iii) By a warehouse which has been designated by such government, department, or agency as a source of supply for government orders, for delivery to a stock maintained for that purpose.

(c) *Restrictions on sizes and dimensions*—(1) *Government orders.* No person shall produce, fabricate or deliver any steel pressure pipe except in the sizes and dimensions set forth in the respective specifications of List 2 or Table 1 of this schedule.

(2) *Other orders.* No person shall produce, fabricate or deliver on any order not a government order any steel pressure pipe except in the sizes and dimensions set forth in Table I of this schedule.

(d) *Restrictions on specifications*—(1) *Government orders.* No person shall produce, fabricate, or deliver on a government order, any steel pressure pipe except to a specification set forth in List 1 or List 2 of this schedule.

(2) *Other orders.* No person shall produce, fabricate or deliver on any order not a government order, any steel pressure pipe except to a specification set forth in List 1 of this schedule.

(e) *Acceptance of delivery.* No person shall accept delivery of steel pressure

pipe which he knows or has reason to believe was produced, fabricated, or delivered in violation of the provisions of paragraphs (c) and (d).

(f) *Exceptions.* The provisions of this schedule shall not prevent:

(1) Production, fabrication, delivery, or acceptance of steel pressure pipe for which an order was entered prior to August 30, 1943, provided shipment of the entire order is made on or before October 30, 1943.

(2) Delivery or acceptance of steel pressure pipe which because of errors in manufacture does not conform to the requirements of this schedule, provided such requirements are waived by the purchaser or procuring agency.

(3) Waiver by the purchaser or procuring agency of any of the inspection or test requirements of any specification.

(4) Production, fabrication, delivery, or acceptance of steel pressure pipe in other diameters or wall thicknesses for use in the manufacture of steel pipe fittings, fuel oil heaters, boiler water walls, water screens, economizers, headers, or manifolds.

(5) Production, fabrication, delivery, or acceptance of steel pressure pipe not conforming to the requirements of paragraph (d) when certified by the United States Army or Navy to the producer, fabricator, or supplier and to the Steel Division, War Production Board, as being necessary to insure the military characteristics of the item for which the steel pressure pipe is required. Such certification shall specify the contract involved and the justification for the exception.

(6) Production, fabrication, delivery, or acceptance of steel pressure pipe specifically permitted in writing by the War Production Board. In the case of alloy steel pressure pipe, such permission may be granted with respect to chemical composition by the approval of a melting, production, or delivery schedule.

(g) *Records.* Each person owning or possessing steel pressure pipe excepted by the provisions of paragraph (f) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board. In addition, each person accepting an order for steel pressure pipe excepted by the provisions of paragraph (f) (5) shall furnish details of such order to the Steel Division, War Production Board, within ten days after such acceptance. The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST 1—PERMISSIBLE SPECIFICATIONS FOR GENERAL USE, STEEL PRESSURE PIPE

NOTE: List 1 amended Mar. 11, 1944.

Tensile strength psi and process	Composition	Specification designation and grade
Lap-welded:		
45,000 minimum	Carbon steel (Open-Hearth)	ASTM-A106-43T, Welded.
Seamless:		
48,000 minimum	Carbon steel (killed)	ASTM-A106-43T, Grade A.
60,000 minimum	Carbon steel (Silicon killed)	ASTM-A106-43T, Grade B.
55,000 minimum	Carbon-molybdenum (.40-.55Mo)	ASTM-A206-42T, Grade P1.
55,000 minimum	Carbon-molybdenum (.40-.55Mo)	ASME-S-45-1940, Grade P1.
60,000 minimum	Chromium-molybdenum (4.00-5.50Cr, .40-.55Mo).	ASTM-A158-42T, Grade P5a.
60,000 minimum	Chromium-molybdenum Stabilized (4.00-5.50-Cr, .40-.55Mo).	ASTM-A158-42T, Grade P5c.
60,000 minimum	Chromium-silicon-molybdenum (1.00-1.50Cr, .40-.55Mo).	ASTM-A158-42T, Grade P11.
60,000 minimum	7 Chromium (.50-1.00Si, 6.00-7.50Cr., 40-.55-Mo).	ASTM-A158-42T, Grade EP16.
60,000 minimum	9 Chromium (.50-1.00Si, 8.00-9.50Cr, .80-.95Mo).	ASTM-A158-42T, Grade EP17.
60,000 minimum	Chromium-molybdenum (4.00-5.50Cr, .40-.55Mo).	ASME-S-34-1940, Grade P5a.
60,000 minimum	Chromium-molybdenum stabilized (4.00-5.50-Cr, .40-.55Mo).	ASME-S-34-1940 Grade P5c.
60,000 minimum	Chromium-silicon-molybdenum (1.00-1.50Cr, .40-.55Mo).	ASME-S-34-1940, Grade P11.
60,000 minimum	7 Chromium (.50-1.00Si, 6.00-7.50Cr, .40-.55-Mo).	ASME-S-34-1940, Grade EP16.
60,000 minimum	9 Chromium (.50-1.00Si, 8.00-9.50Cr, .80-.95-Mo).	ASME-S-34-1940, Grade EP17.

NOTE: List 1, Titles of permissible specifications and applicable amendments thereto are as follows:

American Society for Testing Materials, tentative specifications:

ASTM-A106-43T—Lap-Welded and Seamless Steel Pipe For High Temperature Service.

ASTM-A158-42T — Seamless Alloy - Steel Pipe For Service At Temperatures From 750 to 1100 F., as amended by Emergency Alternate Provisions EA-A158, adopted June 1, 1943.

ASTM-A206-42T—Seamless Carbon-Molybdenum Alloy Steel Pipe For Service At Temperatures From 750 to 1000 F., as amended by Emergency Alternate Provisions EA-A206, adopted June 1, 1943.

American Society of Mechanical Engineers Boiler Construction Code, Material Specifications and Addenda thereto, and interpretations thereof issued prior to March 11, 1944.

ASME-S-34-1940 — Seamless Alloy - Steel Pipe For Service At Temperatures From 750 to 1100 F.

ASME-S-45-1940—Seamless Carbon-Molybdenum Alloy-Steel Pipe For Service At Temperatures From 750 to 1000 F.

NOTE 1: The U. S. Coast Guard Specifications set forth in List 2 are applicable to List 1, for use on vessels subject to inspection under the Coast Guard Inspection and Navigation Regulations.

LIST 2—PERMISSIBLE SPECIFICATIONS FOR GOVERNMENT USE ONLY, STEEL PRESSURE PIPE

NOTE: List 2 amended Mar. 11, 1944.

Tensile strength psi and process	Composition	Specification designation and grade
Lap-Welded:		
45,000 Minimum	Carbon steel (Open-Hearth)	CG-MIN-51.11, Welded.
45,000 Minimum	Carbon steel	Navy 66P1, Classes SH300 & SH400.
48,000 Minimum	Copper-molybdenum (.40Cu Min., .05Mo Min.).	Navy 66P1, Classes SH300 & SH400.
	Carbon steel	Navy 44T4.
Seamless:		
48,000 Minimum	Carbon steel (killed)	CG-MIN-51.11, Grade A.
60,000 Minimum	Carbon steel (killed)	CG-MIN-51.11, Grade B.
55,000 Minimum	Carbon-molybdenum (.40-.55Mo)	CG-MIN-51.11, Grade P1.
48,000 Minimum	Carbon steel	Navy 44T13, Types A, B, C, & D.
60,000 Minimum	Carbon steel	Navy 44T13, Type E.
60,000 Minimum	Carbon-molybdenum (.40-.65Mo)	Navy 44T33, Types A, B, & C.
Electric-Resistance-Welded:		
45,000 Minimum	Carbon steel	Navy 66P1, Classes SH300, SH400, SH600, SH900, SH1500, A3500.
48,000 Minimum	Low carbon steel	Navy 44T43, Grade I.
60,000 Minimum	Medium carbon steel	Navy 44T43, Grade II.
48,000 Minimum	Carbon steel (killed)	Navy 44T41, Types A, B, C, & D.
48,000 Minimum	Copper-molybdenum (.40 Cu. Min., .05Mo Min.)	Navy 66P1, Classes SH300, SH400, SH600, SH900, SH1500, A3500.
Metallic arc or oxyacetylene gas welded:		
48,000 Minimum	Low carbon steel	Navy 44T43, Grade I.
60,000 Minimum	Medium carbon steel	Navy 44T43, Grade II.

CG-MIN=U. S. Coast Guard, Marine Inspection and Navigation

NOTE: List 2, Titles of permissible specifications are as follows:

Coast Guard Specification MIN 51.11—Steel Pipe.

Navy Department, Bureau of Ships, Ad Interim Specification 44T13—Tubing, Steel, Seamless, For Oil, Steam Or Water.

Navy Department, Bureau of Ships, Ad Interim Specification 44T33—Tubing, Steel, Alloy, Molybdenum, Seamless.

Navy Department, Bureau of Ships, Ad Interim Specification 44T43—Tubing, Steel, Welded (Including Resistance Welded), For Oil, Steam, Or Water.

Navy Department Specification 44T41—Tubing, Steel, Resistance-Welded, For Oil, Steam, Or Water.

Navy Department, Bureau of Yards and Docks Tentative Specification 66P1—Power-Plant, Heating, And Ventilating Apparatus And Piping (Shore Use).

Navy Department Specification 44T4—Tubing, Steel, Seamless or Welded.

NOTE 1: The applicable issue of any of the specifications in List 2 above shall be the issue in effect on the date of the invitation to bid, or on the date of the purchase order or contract, or such subsequent issue acceptable to the producer as the procuring agency may substitute in the contract.

TABLE 1—STEEL PRESSURE PIPE SIZES PERMISSIBLE FOR GENERAL USE

Nominal pipe size, in.	Outside diameter, in.	Nominal wall thicknesses, in.									
		Schedule No.									
		10	20	30	40	60	80	100	120	140	160
⅛	0.405	------	------	------	0.068	------	0.095	------	------	------	------
¼	0.540	------	------	------	0.088	------	0.119	------	------	------	------
⅜	0.675	------	------	------	0.091	------	0.126	------	------	------	------
½	0.840	------	------	------	0.109	------	0.147	------	------	------	0.187
¾	1.050	------	------	------	0.113	------	0.154	------	------	------	0.218
1	1.315	------	------	------	0.133	------	0.179	------	------	------	0.250
1¼	1.660	------	------	------	0.140	------	0.191	------	------	------	0.250
1½	1.900	------	------	------	0.145	------	0.200	------	------	------	0.281
2	2.375	------	------	------	0.154	------	0.218	------	------	------	0.343
2½	2.875	------	------	------	0.203	------	0.276	------	------	------	0.375
3	3.5	------	------	------	0.216	------	0.300	------	------	------	0.437
3½	4.0	------	------	------	0.226	------	0.318	------	------	------	------
4	4.5	------	------	------	0.237	------	0.337	------	0.437	------	0.531
5	5.563	------	------	------	0.258	------	0.375	------	0.500	------	0.625
6	6.625	------	------	------	0.280	------	0.432	------	0.562	------	0.718
8	8.625	------	0.250	0.277	0.322	0.406	0.500	0.593	0.718	0.812	0.906
10	10.75	------	0.250	0.307	0.365	0.500	0.593	0.718	0.843	1.000	1.125
12	12.75	------	0.250	0.330	0.406	0.562	0.687	0.843	1.000	1.125	1.312
14 O. D	14.0	0.250	0.312	0.375	0.437	0.593	0.750	0.937	1.062	1.250	1.406
16 O. D	16.0	0.250	0.312	0.375	0.500	0.656	0.843	1.031	1.218	1.437	1.562
18 O. D	18.0	0.250	0.312	0.437	0.562	0.718	0.937	1.156	1.343	1.562	1.750
20 O. D	20.0	0.250	0.375	0.500	0.593	0.812	1.031	1.250	1.500	1.750	------
24 O. D	24.0	0.250	0.375	0.562	0.687	0.937	1.218	1.500	1.750	------	------

NOTE 1: The decimal thicknesses listed for the respective pipe sizes represent their nominal or average wall dimensions.

[F. R. Doc. 44-3483; Filed, March 11, 1944; 11:24 a. m.]

PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-145-a, as Amended Mar. 11, 1944]

ANTI-FRICTION BEARINGS

The fulfilment of requirements for the defense of the United States has created a shortage in the supply of anti-friction bearings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.67 *Limitation Order L-145-a*—(a) *Limitation on production of anti-friction bearings.* No person engaged in the production of anti-friction bearings shall hereafter make bearings of any of the sizes specified on Schedule A attached to this order unless he is designated as an "authorized producer" of such size.

A person who is not designated as an "authorized producer" of a particular size listed in Schedule A may refer persons seeking to place orders with him to those who are designated as "authorized producers"; or if he wishes to continue selling this size he may accept orders for such bearings and arrange to have them made by an "authorized producer."

(b) *Maintenance of equipment by persons other than "authorized producers".* Any person who produced any of the sizes specified on Schedule A in 1943 but who is not designated as an "authorized producer" of such size is prohibited from disposing of tools and equipment used by him to make such size and he shall keep these tools and equipment in such condition that whenever the War Production Board deems it necessary to name him an "authorized producer" he can resume production of bearings of such size one month after notice by the War Production Board.

(c) *Exceptions.* The provisions of this order do not apply to:

(1) The production of any bearings listed on Schedule A for which purchase orders have been placed prior to February 19, 1944, even though the person holding such orders is not designated as an "authorized producer";

(2) To any person whose monthly shipments in November 1943 of all anti-friction bearings did not exceed $60,000.

(d) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(e) *Appeals.* Any appeals from the provisions of this order shall be made by filing a letter in triplicate with the War Production Board, Washington 25, D. C., referring to the particular provision appealed from and stating fully the grounds of the appeal.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control, and may be deprived of priorities assistance.

(g) *Communications.* All reports to be filed, appeals and other communications, concerning this order, should be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref: L-145-a.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—BALL BEARINGS

SAE No.	*Authorized Producers*
Light Series—Single Row—Radial:	
224	Marlin-Rockwell Corp., SKF Industries, Inc., Fafnir Bearing Co.
232, 234, 236, 238, 240	Marlin-Rockwell Corp., Torrington Co. (Bantam Div.)
Medium Series—Single Row—Radial:	
326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
332, 334, 336	Marlin-Rockwell Corp., Torrington Co. (Bantam Div.)
338	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
340	Marlin-Rockwell Corp., Torrington Co. (Bantam Div.)
344, 348, 352	Torrington Co. (Bantam Div.)
Light Series—Single Row—Angular Contact:	
7224, 7228, 7230, 7232	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
7236, 7238, 7240	Marlin-Rockwell Corp., Torrington Co. (Bantam Div.)
Medium Series—Single Row—Angular Contact:	
7324	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.)
7326	Marlin-Rockwell Corp., SKF Industries, Inc., Torrington Co. (Bantam Div.)
7328	Marlin-Rockwell Corp., Fafnir Bearing Co., Torrington Co. (Bantam Div.)
7332, 7334, 7336, 7338, 7340, 7342	Marlin-Rockwell Corp., Torrington Co. (Bantam Div.)

NOTE: The following items added Mar. 11, 1944.

Heavy Series—Single Row:	
403	Marlin-Rockwell Corp., SKF Industries, Inc.
404	Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
410	Fafnir Bearing Co., New Departure Div. of G. M. C., Hoover Ball & Bearing Co., Marlin-Rockwell Corp.
415, 416, 417, 418	Fafnir Bearing Co., Marlin-Rockwell Corp., Norma-Hoffman Bearings Corp.
419	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
420	Marlin-Rockwell Corp., SKF Industries, Inc.
421, 422	Marlin-Rockwell Corp.
Heavy Series—Double Row:	
5403, 5404	Marlin-Rockwell Corp.
5405, 5406	Marlin-Rockwell Corp., SKF Industries, Inc.
5407	Marlin-Rockwell Corp., McGill Mfg. Co., New Departure Div. of G. M. C., SKF Industries, Inc.

SCHEDULE A—Continued

SAE No.	*Authorized Producers—Con.*
Heavy Series—Double Row—Con.	
5408	Marlin-Rockwell Corp., SKF Industries, Inc.
5409	Marlin-Rockwell Corp., Bearings Co. of America
5410	Marlin-Rockwell Corp., Fafnir Bearing Co., SKF Industries, Inc.
5411	Fafnir Bearing Co., Marlin-Rockwell Corp.
5412	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
5413	Fafnir Bearing Co., Marlin-Rockwell
5414	Corp.
5415	Marlin-Rockwell Corp., McGill Mfg. Co.
5416	Fafnir Bearing Co., Marlin-Rockwell Corp.
5417	Marlin-Rockwell Corp.
5418	Fafnir Bearing Co., McGill Mfg. Co., Marlin-Rockwell Corp.
Heavy Series—Angular Contact:	
7403	Marlin-Rockwell Corp.
7404	Marlin-Rockwell Corp., New Departure Div. of G. M. C.
7405	McGill Mfg. Co., Marlin-Rockwell
7406	Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
7407	Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
7408	Ahlberg Bearing Co., Marlin-Rockwell Corp., New Departure Div. of G. M. C., SKF Industries, Inc.
7409	
7412	Fafnir Bearing Co., Marlin-Rockwell
7413	Corp., New Departure Div. of
7414	G. M. C., SKF Industries, Inc.
7415	
7416	Fafnir Bearing Co., Marlin-Rockwell Corp., New Departure Div. of G. M. C.
7417	Marlin-Rockwell Corp., SKF Industries, Inc.
7418	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.
7419	Marlin-Rockwell Corp., SKF Industries, Inc.
7420	Fafnir Bearing Co., Marlin-Rockwell Corp., SKF Industries, Inc.

[F. R. Doc. 44-3484; Filed, March 11, 1944; 11:25 a. m.]

PART 3293—CHEMICALS

[Conservation Order M-54, as Amended Mar. 9, 1944] [1]

MOLASSES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of molasses for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.91 *Conservation Order M-54*—(a) *Definitions.* For the purposes of this order:

(1) "Molasses" means any molasses, sirup, sugar solution, or any form of fermentative sugar (derived from sugar cane or sugar beets) and hydrol (corn sugar molasses). The term does not, however, include sugar as defined in Rationing Order No. 3 or sugar intended for and used for manufacture into sugar as so defined, or edible molasses as defined in Food Distribution Order No. 51. Blackstrap molasses is any final molasses produced in the manufacture of sugar from sugar cane or from the refining of raw sugar and includes all beet molasses produced in the manufacture of sugar from sugar beets. Invert molasses is any molasses made from sugar cane without extraction of sugars. For the purpose of this order one gallon of invert molasses is to be construed as one and a half gallons of blackstrap molasses and one gallon of hydrol is to be construed as one gallon of blackstrap molasses.

(2) "Producer" means any person engaged in the production of molasses and includes any person who has molasses produced for him pursuant to toll agreement.

(3) "Importer" means any person who transports molasses in any manner into the continental United States. Release from the bonded custody of the United States Bureau of Customs shall be deemed a transportation.

(4) "Primary distributor" means any person, other than an importer or a producer, who sells molasses which he has acquired (other than as broker) from an importer or a producer.

(5) "Secondary distributor" means any person, other than an importer, producer or primary distributor, who sells molasses which he has acquired (other than as broker) from some person other than an importer or producer.

(6) A person may, at the same time, be an importer, a producer, a primary distributor and a secondary distributor. His clasification, in a particular case, will be determined by the source of the molasses involved; i. e., with respect to molasses imported, he will be an importer, with respect to molasses acquired from a producer, he will be a primary distributor, etc.

(7) "Broker" means any person who buys and sells molasses on a fee basis as agent either for the buyer or the seller or both.

(8) "Class 1 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Insecticides (except as provision is made therefor in paragraphs (a) (14) and (d) (3) hereof).
(ii) Lactic acid.
(iii) Graphite paste.
(iv) Printing rollers.
(v) Dye stuffs.
(vi) Ink.
(vii) Ephedrine.
(viii) Sugar for human consumption (produced from beet molasses).
(ix) Denatured rum for flavoring.
(x) Biological and pharmaceutical products for human and veterinary uses.

and any person who requires molasses for any one or more of the following purposes.

(xi) Dust extraction.
(xii) Leather tanning.

(9) "Class 2 purchaser" means any person who requires molasses in the manufacture (including custom grinding) of mixed feeds (including molasses treated beet pulp).

(10) "Class 3 purchaser" means any person who requires molasses in the manufacture of any one or more of the following products:

(i) Yeast.
(ii) Citric acid.

(11) "Class 4 purchaser" means any person who requires molasses in the manufacture of vinegar and any person who requires molasses for foundry purposes.

(12) "Class 5 purchaser" means any person who requires molasses in the manufacture (including blending and/or packaging) of any one or more of the following products:

(i) Molasses (edible).
(ii) Sirup (edible).

(13) "Class 6 purchaser" means any person who requires molasses in the manufacture of other products for human consumption (not specified above).

(14) "Class 7 purchaser" means any person who requires molasses for sale directly (without the intervention of any other handler) to persons who require the same for ensilage direct feed or insect control.

(15) "Calendar quarter" means the several three month periods of the year commencing January 1, April 1, July 1, and October 1.

(16) "Calendar quarterly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during a corresponding calendar quarter in the twelve month period ended June 30, 1941. Purchasers shall determine a calendar quarterly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(17) "30 day supply" means a quantity of molasses not in excess of one-twelfth of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a 30 day supply with respect to each use specified in the applicable subparagraphs above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(18) "Fiscal year" means the twelve month period commencing October 1 and ending September 30.

(19) "Yearly supply" means a quantity of molasses not in excess of the quantity used by a purchaser listed above during the twelve month period ended June 30, 1941. Purchasers shall determine a yearly supply with respect to each use specified in the applicable subparagraph above. Quantity shall in all cases be computed on a blackstrap molasses basis.

(b) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

[1] This document is a restatement of Amendment 1 to M-54, as Amended January 21, 1944, which appeared in the FEDERAL REGISTER of March 10, page 2691, and reflects the order in its completed form as of March 9, 1944.

(c) *Restrictions on deliveries.* Anything in Priorities Regulation 1 to the contrary notwithstanding:

(1) No Class 1, 2, 3, 4, 5, 6 or 7 purchaser shall, during any calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser), accept deliveries of molasses in excess of the quantity set forth below less any quantity in excess of a 30 day supply on hand on the first day of the calendar quarter (fiscal year in the case of a Class 3 or 5 purchaser) in which delivery is to be made:

(i) Class 1 purchaser—during any calendar quarter, 40% of a calendar quarterly supply if molasses is required for the manufacture of sugar for human consumption (produced from beet molasses); 100% of a calendar quarterly supply if molasses is required by such Class 1 purchaser for the manufacture of any other product.

(ii) Class 2 purchaser—during any calendar quarter, 50% of a calendar quarterly supply.

(iii) Class 3 purchaser—during a fiscal year, 130% of a yearly supply.

(iv) Class 4 purchaser—during any calendar quarter, 130 per cent of a calendar quarterly supply, if molasses is required for the manufacture of vinegar; 110 per cent of a calendar quarterly supply, if molasses is required for foundry purposes.

(v) Class 5 purchaser—during a fiscal year, 100% of a yearly supply.

(vi) Class 6 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(vii) Class 7 purchaser—during any calendar quarter, 100% of a calendar quarterly supply.

(2) Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 1, 2, 4, 6 or 7 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery, in the calendar quarter ended _____, of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during the same calendar quarter from all sources and inventory on hand on the first day of such calendar quarter, be in excess of _____ per cent of a calendar quarterly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

_____
(Name of purchaser)

By _____
(Duly authorized official)

Prior to delivery of molasses, within the limitations of paragraph (c) (1) hereof, the prospective deliveree, if he be a Class 3 or 5 purchaser, shall submit to the deliveror a certificate in substantially the following form, properly filled out and manually signed by a duly authorized official:

The delivery of _____ gallons of molasses (blackstrap molasses basis), in connection with which this certificate is furnished, will not, taking into consideration molasses received and to be received during this fiscal year from all sources and inventory on hand on the first day of this fiscal year, be in excess of _____ percent of a yearly supply to which the undersigned, as a Class _____ purchaser, is entitled pursuant to General Preference Order No. M-54, amended, with the terms of which order the undersigned is familiar.

Dated:

_____
(Name of purchaser)

By _____
(Duly authorized official)

(3) No person shall knowingly deliver molasses to any Class 1, 2, 3, 4, 5, 6 or 7 purchaser in violation of the terms of paragraphs (c) (1) and (2) hereof.

(4) Except as otherwise provided in paragraph (d) hereof no deliveries of molasses shall be made by any producer, primary distributor, secondary distributor or importer unless the same shall have been specifically authorized by the War Production Board; and no person shall accept delivery of molasses if such delivery would be made in violation of the foregoing clause.

(5) *Restrictions on beet molasses.* No Class 2 purchaser shall use beet molasses for the manufacture of mixed feeds.

(d) *Permissive deliveries.* Subject to the provisions of Priorities Regulation No. 1, amended, (and more particularly the inventory provisions thereof) and paragraphs (f) and (g) hereof, the following deliveries of molasses shall not be subject to the provisions of paragraph (c) (4) hereof:

(1) Within the limitations of paragraphs (c) (1) and (2) hereof, deliveries to purchasers specified in paragraph (a) hereof.

(2) Deliveries to primary distributors and secondary distributors for purposes of resale. All quantities of molasses, delivery of which primary distributors and secondary distributors accept, shall be subject to allocation, re-distribution or re-delivery in accordance with specific directions which the War Production Board may from time to time hereafter issue.

(3) Deliveries by a Class 7 purchaser (of molasses to which he is entitled pursuant to paragraph (c) (1) (vii) hereof) to persons who require molasses for ensilage, direct feed or insect control.

(4) Deliveries of any one of the products specified in paragraph (a) (12) hereof which after manufacture (including blending and/or packaging) fall within the definition of molasses.

(5) Deliveries originating, completed and for use outside of the continental United States.

(6) Deliveries to an importer originating outside of the continental United States.

(7) Deliveries for the production of beverage spirits or industrial alcohol authorized under paragraph (f) hereof.

(e) *Restrictions on consumption.* Unless otherwise authorized by the War Production Board, no purchaser specified in paragraph (a) hereof shall, during any calendar quarter commencing with the month of January, 1942, use or consume more molasses:

(1) Than he would be permitted to receive during such calendar quarter, in the case of a Class 1, 2, 4, 6 or 7 purchaser (assuming that such purchaser had no molasses on hand on the first day of the calendar quarter).

(2) Than 130% of a calendar quarterly supply, in the case of a Class 3 purchaser.

(3) Than a calendar quarterly supply, in the case of a Class 5 purchaser.

(f) *Restrictions on molasses for beverage spirits and industrial alcohol.* No person shall use or accept delivery of molasses for the manufacture of beverage spirits or industrial alcohol except to the extent authorized by the War Production Board.

(g) *Restrictions on export.* No molasses shall be exported by any person except upon express authorization of the War Production Board.

(h) *Intra-company transactions.* The prohibitions or restrictions contained in this order with respect to deliveries shall, in the absence of a contrary direction, apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of the same or any other enterprise owned or controlled by the same person.

(i) *Prior authorizations.* Specific mail or telegraphic authorizations heretofore issued by the War Production Board by way of relief from the provisions of this order as it existed prior to March 27, 1942, shall not be prejudiced or in any manner affected hereby.

(j) *Reports.* Reports shall be made at such times, on such forms and with respect to such matters as shall be prescribed by the Chemicals Division of the War Produetion Board. Importers shall notify the Chemicals Division of the War Production Board of the importation of molasses into the continental United States at least fifteen (15) days prior to movement of the same from the place of origin. The following persons shall fill out and file with the Chemicals Division of the War Production Board the forms set forth below at the times and in the manner prescribed in said forms:

Manufacturers (using molasses) of yeast, citric acid and edible sirup or molasses—Form WPB-891.

Manufacturers (using molasses) of Alcohol—Form WPB-892.

Producers, importers and primary distributors of molasses—Form WPB-890.

(k) *Notification of customers.* Producers, distributors and importers shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but the failure to give such notice shall not excuse any person from the obligation of complying with the terms of this order.

(l) *Violations.* Any person who wilfully violates any provision of this order or who in connection with this order wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may

be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priority assistance.

(m) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(n) *Exemptions.* None of the restrictions, prohibitions or requirements contained in this order shall apply to the delivery, acceptance of delivery or use of molasses outside of the continental United States, except that paragraph (c) (1) (vii) relating to Class 7 purchasers, and paragraph (f) relating to restrictions with reference to beverage cane spirits and industrial alcohol, shall be applicable to Puerto Rico and the Virgin Islands of the United States.

Issued this 9th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3485; Filed, March 11, 1944; 11:25 a. m.]

PART 1010—SUSPENSION ORDER

[Suspension Order S-501]

FLUORESCENT FIXTURE & SUPPLY COMPANY

Sidney Eisenberg, doing business under the trade name of Fluorescent Fixture & Supply Company, at 6714 Carnegie Avenue, Cleveland, Ohio, is a retail dealer in fluorescent lighting fixtures. Between June 13 and October 30, 1942, he made sales of new fluorescent lighting fixtures, having a rated wattage capacity in excess of 30 watts, without preference ratings, in violation of Limitation Order L-78. During the same period Mr. Eisenberg made other sales, suggesting certifications and ratings, in some instances a rating of A-2 under an alleged "Preference Rating Order PD-46". None of the customers had an A-2 rating nor a right to use higher than an A-10 rating. As for "PD-46" this had been a symbol of a report form for use of the Aircraft Industry, but which became obsolete not later than May 25, 1942, and never had been a preference rating order. The method of extending ratings employed by Mr. Eisenberg was to deliver his customers' orders to his supplier, rather than to keep them at his place of business and execute certificates to his supplier that he was entitled to extend the ratings. This practice was a violation of Priorities Regulation No. 3. Mr. Eisenberg was familiar with Limitation Order L-78, and, except for two transactions, his violations of that order were wilful. His violations of Priorities Regulation No. 3 were due to a grossly negligent disregard of War Production Board orders and regulations.

These violations of Limitation Order L-78 and of Priorities Regulation No. 3 have hampered and impeded the war effort of the United States by diverting critical material to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.501 *Suspension Order No. S-501.* (a) Deliveries of fluorescent lighting fixtures as defined in Limitation Order L-78, requiring the use of tubes exceeding 30-watt capacity, to Sidney Eisenberg, doing business as Fluorescent Fixture & Supply Company or otherwise, his successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference rating shall be assigned, applied or extended to such deliveries by means of preference rating orders, preference rating certificates, general preference orders, or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Sidney Eisenberg, doing business as Fluorescent Fixture & Supply Company, or otherwise, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 11, 1944, and shall expire June 11, 1944.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3507; Filed, March 11, 1944; 4:39 p. m.]

[Suspension Order S-462, Reinstatement]

SHATTERPROOF GLASS CO.

On December 14, 1943, Suspension Order No. S-462 was issued in the case of Shatterproof Glass Company, a Delaware corporation, with principal offices at 4815 Cabot Avenue, Detroit, Michigan. Shatterproof Glass Company appealed to the Chief Compliance Commissioner from the Suspension Order and applied for a stay of the suspension order provisions, and filed an affidavit in support of its application for a stay. A personal appearance and oral argument by counsel for the company took place. A stay was granted on February 3, 1944. The Chief Compliance Commissioner, after reviewing the case, has decided that there were wilful violations of General Preference Order M-10, and that the suspension order was properly issued. He has further determined that under present conditions there is no surplus of vinyl over military requirements. The Chief Compliance Commissioner has directed that the appeal be dismissed, the stay terminated, and the suspension order reinstated for the balance of the original period of time. In view of the foregoing, it is hereby ordered, that:

Section 1010.462, *Suspension Order No. S-462*, issued December 14, 1943, be, and hereby is, reinstated, and paragraph (c) is amended to read as follows:

(c) This order shall again become effective March 11, 1944, and shall expire on April 27, 1944.

Issued this 11th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3508; Filed, March 11, 1944; 4:39 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 1 to Direction 2]

PAPER CUPS AND PAPER FOOD CONTAINERS

The following interpretation is issued with respect to Priorities Regulation 3, Direction 2:

Paragraph (j) calls attention to the fact that persons buying paper cups and paper food containers for use in packaging food or other products may not use blanket MRO ratings for that purpose.

Persons engaged in in-plant feeding operations, whether they be conducted by the plant management or by a caterer or concessionnaire, also may not use their blanket MRO ratings to buy paper cups and paper food containers which are to be sent to a food packer to be filled and returned to the plant for in-plant feeding.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3532; Filed, March 13, 1944; 11:34 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 2 to Direction 2]

The following interpretation is issued with respect to Priorities Regulation 3, Direction 2.

In-plant feeding includes the serving of food, drink and refreshments between meals as well as at meal time. For instance, the use of paper cups for drinking water is included within the meaning of the term.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3533; Filed, March 13, 1944; 11:34 a. m.]

PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, Direction 3]

NEWSPAPERS; INVENTORY ADJUSTMENT FOR CALIFORNIA, ARIZONA AND NEVADA

The following direction is issued pursuant to Limitation Order L-240.

Notwithstanding the provisions of paragraphs (n) (1) and (n) (2) of L-240, publishers of newspapers in California, Arizona and Nevada who customarily receive print paper from mills in Oregon, Washington and British Columbia, via the Southern Pacific Railroad, may order and accept delivery of

sufficient print paper to give them 65 days' supply actually on hand and available for use, exclusive of paper in transit. In the above computation print paper need not be included until it actually reaches the place where it is to be used.

In building their inventories to this level, such publishers must obtain any print paper in excess of their "monthly base", as defined in paragraph (n) (1), from mills in Oregon, Washington or British Columbia which customarily serve this territory. Mills may deliver such additional print paper only after they have supplied the authorized needs of their regular customers for print paper ordered in accordance with paragraphs (n) (1) and (n) (2) of L-240.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-3531; Filed, March 13, 1944; 11:34 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT [1]

[Limitation Order L-182, as Amended Mar. 13, 1944]

COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of commercial cooking and food and plate warming equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.46 [1] *General Limitation Order L-182*—(a) *Definitions.* For the purposes of this order:

(1) "Commercial cooking and food and plate warming equipment" means:

(i) Equipment (except equipment specially designed to use electricity as the heating agent) designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It includes, but is not limited to, such items as bakers, broilers, fryers, griddles, grills, hot plates, ovens (except built-in types), ranges, roasters, steamers, toasters, urns and warmers, but does not include cooking appliances for household use.

(ii) Steam-jacketed kettles, regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch.

(2) "Ultimate consumer" means any person who uses commercial cooking and food and plate warming equipment for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale.

(3) "New commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has never been used by an ultimate consumer.

(4) "Used commercial cooking and food and plate warming equipment" means any commercial cooking and food and plate warming equipment that has been used by an ultimate consumer.

(b) *Restrictions on manufacture.* (1) From and after October 1, 1942, no manufacturer of commercial cooking and food and plate warming equipment shall put into process in the manufacture of such equipment, including finished units and parts thereof, during any calendar quarter, any iron and steel in excess of 6¼% of the iron and steel put into process in the manufacture of finished units of such equipment by him during the calendar year, 1941, *except* that in addition to the quotas set forth in this paragraph, any manufacturer may put any iron or steel into the process of manufacture of any such equipment for delivery to or for the account of the Army, Navy, the Maritime Commission, the War Shipping Administration of the United States or the Defense Plant Corporation.

(2) No iron or steel may be used in the manufacture of any equipment listed on Schedule I, except in the manufacture of repair and replacement parts thereof as limited in paragraph (b) (1).

(c) *Restrictions on delivery.* Regardless of the terms of any contract, sale, other commitment or any preference rating, no person shall make or accept physical delivery of any new or used commercial cooking and food and plate warming equipment, except that:

(1) Any person may make or accept physical delivery of any such equipment on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration of the United States, or the Defense Plant Corporation.

(2) Any person may make or accept physical delivery of any such equipment pursuant to specific authorization of the War Production Board on Form WPB-1319. Applications under this order and Order L-248 may be made on a single Form WPB-1319.

(3) Any manufacturer may make physical delivery of any such equipment to any dealer or distributor of such equipment, or to any ultimate consumer, from whom he has received a written order or contract which bears a certification substantially as follows, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7; and any such dealer, distributor or ultimate consumer may accept such delivery:

I certify that I have received specific authority from the War Production Board to accept delivery of the equipment listed hereon; that I have knowledge of and am in compliance with Limitation Orders L-182 and/or L-248; and, further, that authorization was received by me on the following Form(s) WPB-1319:

(List number or numbers)

Firm name

Signature and title of officer

Such certification shall constitute a representation to the War Production Board, as well as to the manufacturer, of the facts certified therein.

No manufacturer shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue.

(4) Any ultimate consumer may make physical delivery of any such equipment to any manufacturer, dealer or distributor of such equipment, and such manufacturer, dealer, or distributor may accept such delivery; and

(5) Any such equipment actually in transit on September 30, 1942, may be delivered to its immediate destination.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial cooking and food and plate warming equipment.

(e) *Reports.* Every manufacturer, dealer and distributor of any commercial cooking and food and plate warming equipment shall execute and file with the War Production Board on or before the tenth day of each calendar quarter a report on Form WPB-1509 (formerly PD-638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-248 may be made on a single Form WPB-1509 (formerly PD-638). This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the regulations of the War Production Board, as amended from time to time.

(g) *Applicability of other orders.* Insofar as any other order issued, or to be issued after September 30, 1942, limits the production or delivery of commercial cooking and food and plate warming equipment to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein. After September 30, 1942, General Limitation Orders No. L-79 and No. L-83 shall not apply to commercial cooking and food and plate warming equipment.

(h) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War

[1] Formerly Part 3036, § 3036.1.

Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L–182.

(j) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using materials under priority control and may be deprived of priorities assistance.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE 1

Barbecue machines.
Chicken singers.
Chop suey ranges (ranges with built-in kettles—water and sewer connections).
Cruller fryers.
Cup warmers.
Dish warmers.
Egg boilers.
Nut blancher ovens.
Nut fryers.
Nut roasters.
Oyster stoves.
Peanut roasters.
Plate warmers.
Potato chip fryers.
Roll warmers.
Rotisseries (revolving spit barbecue machine).
Sausage warmers.
Waffle irons.
Warming ovens.

INTERPRETATION 1

Paragraph (c) (1) of General Limitation Order L–182 (Commercial Cooking and Food and Plate Warming Equipment) reads as follows:

(1) Any person may make or accept physical delivery of any such equipment on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, the War Shipping Administration of the United States, or the Defense Plant Corporation;

Question has been raised as to whether purchase by the Army Pre-Flight Training Schools is within the exception stated in this subparagraph or whether such schools desiring to purchase this equipment must apply on Form WPB–1319 for authorization.

The exception referred to applies only to specific contracts or subcontracts for deliveries to or for the account of the agencies named. It does not include equipment which will be owned by the training schools and not by the Army, even though it is intended that the equipment will for the present be used solely for the benefit of the personnel assigned to the school. Such a delivery is not made on a specific contract or subcontract for delivery to or for the account of the Army within the meaning of the provision quoted above. Accordingly, any training school desiring to purchase this equipment under these circumstances must apply on Form WPB–1319 for authorization. (Issued May 8, 1943.)

[F. R. Doc. 44–3534; Filed, March 13, 1944; 11:34 a. m.]

PART 3288—PLUMBING AND HEATING EQUIPMENT [1]

[Limitation Order L–248 as Amended Mar. 13, 1944]

COMMERCIAL DISHWASHERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.61 [1] *General Limitation Order L–248*—(a) *Definitions.* For the purposes of this order:

(1) "Commercial dishwasher" means any mechanical device designed for washing dishes, cutlery, glassware or kitchen utensils in establishments where food is prepared for consumption or sale on the premises. The term does not include dishwashers designed for domestic use.

(2) "Ultimate consumer" means any person who uses a commercial dishwasher for washing dishes, cutlery, glassware and kitchen utensils.

(3) "New commercial dishwasher" means any commercial dishwasher which has never been used by an ultimate consumer.

(4) "Used commercial dishwasher" means any commercial dishwasher which has been used by an ultimate consumer.

(5) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Restrictions on manufacture.* No manufacturer of commercial dishwashers shall put into process in the manufacture of such dishwashers, including finished units and parts thereof, during any calendar quarter, a weight of metal in excess of six and one quarter percent (6¼%) of the weight of metal put into process in the manufacture of finished commercial dishwashers by him during the calendar year 1941 except that in addition to the quotas set forth in this paragraph any manufacturer may put any weight of metal into process in the manufacture of any such dishwashers for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States.

(c) *Restrictions on delivery.* Regardless of the terms of any contract, sale, other commitment or any preference rating, no person shall make or accept physical delivery of any new or used commercial dishwashers except that:

(1) Any person may make or accept physical delivery of any such dishwasher on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States;

(2) Any person may make or accept physical delivery of any such dishwasher pursuant to specific authorization of the War Production Board on Form WPB–1319. Applications under this order and Order L–182 may be made on a single Form WPB–1319;

(3) Any manufacturer may make physical delivery of any such dishwasher to any dealer or distributor of such dishwashers, or to any ultimate consumer, from whom he has received a written order or contract which bears a certification substantially as follows signed by an authorized official, either manually or as provided in Priorities Regulation No. 7; and any such dealer, distributor or ultimate consumer may accept such delivery:

I certify that I have received specific authority from the War Production Board to accept delivery of the equipment listed hereon; that I have knowledge of and am in compliance with Limitation Orders L–182 and/or L–248; and, further, that authorization was received by me on the following Form(s) WPB–1319:

(List number or numbers)

Firm Name

Signature & Title of Officer

Such certification shall constitute a representation to the War Production Board, as well as to the manufacturer of the facts certified therein.

No manufacturer shall make delivery under this order who has reason to believe that the purchaser has furnished a false certification; and no person shall falsely furnish the certification specified above.

Any manufacturer may rely upon the facts furnished in the above mentioned certification and shall not be responsible for any action taken by him under this order in reliance upon inaccurate or untrue statements therein, unless he has reason to believe that such statements are inaccurate or untrue;

(4) Any ultimate consumer may make physical delivery of any such dishwasher to any manufacturer, dealer or distributor of such dishwashers; and such manufacturer, dealer, or distributor may accept such delivery;

(5) Any such dishwasher actually in transit on March 2, 1943, may be delivered to its immediate destination; and

(6) Any such dishwasher manufactured in accordance with an appeal granted prior to March 2, 1943, may be physically delivered to the person specified in the appeal, and such person may accept delivery of such dishwasher.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial dishwashers.

(e) *Simplified practices.* No person shall manufacture, fabricate or assemble any commercial dishwasher designed for washing cutlery, glassware or kitchen utensils exclusively. No person shall manufacture, fabricate or assemble any other type of commercial dishwasher except in accordance with the specifica-

[1] Formerly Part 3171, § 3171.1.

tions and practices given below in this paragraph. However, this paragraph does not revoke or modify the terms of any appeal granted under this order.

(1)

Minimum capacity (dishes per hour)	Maximum content exclusive of motor, switches and wiring (pounds)		Maximum motor size (h. p.)
	Iron and steel	Copper base alloy	
1,500	500	18	¾
3,500	900	22	2
5,000	1,150	35	3

(2) Body (hood and tanks) shall be manufactured of not heavier than 14 gauge black iron or 14 gauge galvanized iron.

(3) No thermostatic controls shall be used.

(4) Spray pipes, feed pipes, and other piping shall be galvanized iron.

(5) To the extent that copper base alloy castings are permitted by this order, the alloy shall be of a type and grade in the production of which the use of refined copper or refined tin is not necessary.

(6) No metal other than iron, steel or copper base alloy shall be used, except zinc for coating or spraying, and metal necessary for assembling or installing.

(f) *Exceptions from simplified practices.* None of the restrictions in paragraph (e) shall apply to commercial dishwashers manufactured to specifications of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships.

(g) *Reports.* Every manufacturer, dealer and distributor of any commercial dishwasher shall execute and file with the War Production Board on or before the tenth day of each calendar quarter a report on Form WPB–1509 (formerly PD–638), which may be obtained from the nearest field office of the War Production Board. Reports under this order and order L–182 may be made on a single Form WPB–1509 (formerly PD–638). This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the regulations of the War Production Board, as amended from time to time.

(i) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits the production or delivery of commercial dishwashers to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(j) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB–1477 (formerly PD–500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington (25), D. C., Ref: L–248.

(l) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using, materials under priority control and may be deprived of priorities assistance.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

Paragraph (c) (1) of General Limitation Order L–248 (Commercial Cooking and Food and Plate Warming Equipment) reads as follows:

(1) Any person may make or accept physical delivery of any such dishwasher on a specific contract or subcontract for delivery to or for the account of the Army, the Navy, the Maritime Commission, or the War Shipping Administration of the United States;

Question has been raised as to whether purchase by the Army Pre-Flight Training Schools is within the exception stated in this subparagraph or whether such schools desiring to purchase this equipment must apply on Form WPB–1319 for authorization.

The exception referred to applies only to specific contracts or subcontracts for deliveries to or for the account of the agencies named. It does not include equipment which will be owned by the training schools and not by the Army, even though it is intended that the equipment will for the present be used solely for the benefit of the personnel assigned to the school. Such a delivery is not made on a specific contract or subcontract for delivery to or for the account of the Army within the meaning of the provision quoted above. Accordingly, any training school desiring to purchase this equipment under these circumstances must apply on Form WPB–1319 for authorization. (Issued April 24, 1943.)

[F. R. Doc. 44–3535; Filed, March 13, 1944; 11:34 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT [1]

[Conservation Order M–216–b, as Amended Mar. 6, 1943, Amdt. 1]

CONSERVATION OF NEW AUTOMOTIVE VEHICLES SUBJECT TO RATIONING BY FEDERAL AGENCIES

Section 3292.106, *Conservation Order M–216–b*, is hereby amended in the following particulars:

1. Paragraph (b) entitled *Definitions*, subparagraph (1), is amended to read as follows:

(1) "Reserve vehicle" means any of the following described vehicles which have not been sold and delivered to a consumer under the rationing procedures of the War Production Board or the Office of Price Administration, and which are in the possession of or under the control of producers, distributors, dealers, sales agencies, finance agencies or other persons, throughout the continental United States, the territories, and insular possessions of the United States.

2. Paragraph (d) entitled, *Restrictions on removing equipment from reserve new commercial motor vehicles* is amended to read as follows:

(d) *Removal of equipment from reserve new commercial motor vehicles prohibited except upon authorization from the War Production Board.* (1) Except upon specific authorization from the War Production Board: (i) No person shall remove from any reserve new commercial motor vehicle any standard equipment, or remove or exchange any other part or accessory, the removal or exchange of which will impair the operating efficiency (pulling ability, carrying ability, or safety), of the vehicle. (ii) After April 15, 1944, no person shall remove equipment from, add equipment to, lengthen or shorten the chassis of a reserve new commercial motor vehicle, of a gross vehicle weight rating of 9,000 pounds or over, but of less than 16,000 pounds (medium truck or truck tractor) for the purpose of converting it into a bus; or make any such changes in a bus chassis to convert it into a truck.

(2) *Authorization to remove or exchange equipment.* Requests for authorization under this paragraph (d) may be made by submitting a letter in triplicate to the Automotive Division, War Production Board, Washington 25, D. C., stating the make, model, gross vehicle weight, serial number and engine number of each vehicle for which the authorization is requested and describing in detail the alterations for which the request is made and the reasons for them. Such authorizations will only be issued when the type of vehicle required as shown on an outstanding Certificate of Transfer (Form WPB 717) or Governmen Exemption Permit (Form WPB 718) cannot be obtained from inventory, or production, for a specific delivery date.

3. Paragraph (h) entitled *Appeals* is amended to read as follows:

(h) *Appeals.* An appeal from the provisions of this order shall be made by filing a letter in triplicate with the Field Office of the War Production Board nearest the appellant's place of business, referring to the particular provisions appealed from and stating fully the grounds for appeal.

Issued this 13th day of March 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–3536; Filed, March 13, 1944; 11:34 a. m.]

[1] Formerly Part 3062, § 3062.3.

Chapter XI—Office of Price Administration

PART 1372—SEASONAL COMMODITIES

[MPR 298,[1] Amdt. 5]

ROTENONE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 298 is amended in the following respects:

1. Section 1372.169 is amended to read as follows:

§ 1372.169 *Appendix C: Manufacturer's maximum prices for dry, finished rotenone insecticides not made from dust bases.* The maximum price shall be (i) the lower of the prices established under alternatives 1 and 2 below or (ii) the price specified under alternative 3 below whichever is higher.

1. The highest price charged to a purchaser of the same class in March, 1942, or

2. A price computed by adding items (a), (b), (c) and (d), below:

(a) The price most frequently charged to a purchaser of the same class in June, 1941, or on the latest date prior to June, 1941, on which the product was sold.

(b) The increase in the cost of pure rotenone guaranteed in the product, between the first half of 1941 and December 31, 1942, calculated according to the following provisions:

(i) Manufacturers who do not process root:

The increase in the cost of rotenone shall be calculated by determining the average delivered cost of rotenone purchased in the period January–June, 1941, inclusive (or, if no such purchase was made in such period, the delivered cost of rotenone purchased on the latest date prior to January 1, 1941), and by subtracting such delivered cost from the maximum delivered cost of rotenone contained in the same type and quality of rotenone-bearing material on December 31, 1942; but such increase in cost of pure rotenone shall not exceed $3.40 per pound of pure rotenone contained in the finished product.

(ii) Manufacturers who process imported root:

The increase in the cost of rotenone shall be calculated by multiplying the pounds of pure rotenone guaranteed in the finished product by $3.10.

(c) The difference between the delivered cost of packages and raw materials other than rotenone on the latest dates prior to July 1, 1941, on which purchases of such commodities were made, and the maximum delivered cost of the same items on December 31, 1942.

(d) Forty cents per hundred pounds, or $0.004 per pound, of the finished product.

3. (a) For finished rotenone insecticides in which rotenone is the only active insecticidal ingredient, for sales to wholesalers or dealers whose places of business are located within the territories specified, basis delivered to the dealer's place of business or nearest rail station in containers of ten pounds or more capacity, subject to customary wholesalers' discounts, prices as follow:

(i) In the states of Arizona, California, and Nevada and in that part of the states of Oregon and Washington lying west of the Cascade Mountains:

Guaranteed rotenone content (percent):	*Price per pound*
0.5	$0.08
.75	.1025
1.0	.125

(ii) In the states of Colorado, Idaho, Montana, New Mexico, Utah, and that part of the states of Oregon and Washington lying east of the Cascade Mountains:

Guaranteed rotenone content (percent):	*Price per pound*
0.5	$0.0825
.75	.105
1.0	.1275

(b) If the insecticide contains active insecticidal ingredients in addition to rotenone, the prices in (a) above may be increased by the amount of the delivered cost to the manufacturer of such additional active ingredients guaranteed in the finished insecticide. If the manufacturer of the finished rotenone insecticide is also the manufacturer of the additional active ingredients he may use his maximum price for a sale to another insecticide manufacturer as his own delivered cost of such additional ingredients.

2. Section 1372.173 (b) is amended to read as follows:

(b) If the maximum price which may be charged by the manufacturer from whom the wholesaler buys the commodity is reduced by this regulation or is raised by amendment of or by subsequent order issued under this regulation, the wholesaler's maximum selling price shall be reduced or increased, as the case may be, by a like amount in dollars and cents.

This amendment shall become effective March 16, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 10th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3469; Filed, March 10, 1944; 4:54 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 183, Amdt. 25]

PUERTO RICO; MISCELLANEOUS AMENDMENTS

Correction

In F. R. Doc. 44-2354, appearing at page 1942 of the issue for Saturday, February 19, 1944, the price quoted in paragraph 8 for sales at retail of bulk hydrogenated shortening should read $0.26.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 113]

MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order 16 is amended in the following respects:

1. The third sentence of section 13.1 (c) is deleted and the following is substituted therefor:

However, he must show the point value of his sales or "transfers" from that establishment during his first full week of operations. (In the case of a wholesaler, those sales or transfers must be shown according to the classes of foods covered by this order, set forth in a supplement to this order.) A retailer's allowable inventory is computed by multiplying the point value of those sales or transfers by three. A wholesaler's allowable inventory is computed by multiplying the point value of those sales or transfers of each class of foods by the factor fixed for that class in § 1407.3027 (f) of Revised Supplement 1 to this order. The numbers which result are added, and the total is his allowable inventory.

2. Section 15.4 is amended to read as follows:

SEC. 15.4 *Wholesalers may apply for allowable inventory adjustments*—(a) *How to apply.* A wholesaler who finds that his allowable inventory is inadequate (other than because of seasonal variations) may apply for an increase. He must apply on OPA Form R-315 to the board with which he is registered. The application must give the following information:

(1) The amount of his allowable inventory;

(2) The net point gain or loss in his point inventory caused by the addition of items to or removal of items from the foods covered by this order;

(3) The sum of items (1) and (2), or the difference if item (2) represents a point loss;

(4) The reasons why he claims his allowable inventory is inadequate; and

(5) The amount of the increase which he needs.

(b) *Temporary increase based on application.* The board may not act upon the application but must send it, and any other information received, to the district office for action. The board may attach its recommendation as to the amount of the temporary increase to be granted. The district office may grant the wholesaler a temporary increase for the amount which it finds he needs to get adequate stocks for the next six calendar weeks. After determining the amount of the temporary increase to be granted, the district office shall return the file to the board. If the wholesaler

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 365, 5589, 6440, 16297; 9 F.R. 397.

[1] 8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16606, 16161, 16260, 16263, 16424, 16527, 16606, 16695.

does not have any excess inventory, the board shall issue to him a certificate for the amount of the increase granted. If he has an excess inventory which is less than the increase, the board shall cancel the excess inventory and issue a certificate for the difference. If his excess inventory is equal to or greater than the increase, the board shall reduce the excess inventory by the amount of the increase.

(c) *Final action.* A wholesaler who is given a temporary increase under paragraph (b) must keep a record of the point value of his sales and transfers of each of the classes of foods set forth in paragraph (d) (other than exchanges, and transfers to another of his wholesale establishments) during the six calendar weeks after he received the increase. Within one week after the end of this period he must report the point value of his transfers during this period to the board. The board shall multiply the point value of his sales and transfers of each class by the factor fixed for that class, as set forth in paragraph (d). If the sum of the products thus computed is more than the figure stated in item (3) in paragraph (a), the difference (or the amount requested by the wholesaler, whichever is less) is to be granted as a permanent increase in the wholesaler's allowable inventory. If the amount of the increase is more than the sum of any certificate issued and excess inventory cancelled under paragraph (b), the board shall issue a certificate for the difference. If the amount of the increase is less than that sum, the difference is excess inventory, and the wholesaler must give up points to the Office of Price Administration in the way required by section 5.6 (e).

(d) *Classes of foods and factors.* The classes of foods and the factors for each class, referred to in paragraph (c), are as follows:

(1) Shortening, lard, cooking and salad oils, canned meat, canned fish and canned milk	1.0
(2) Meat (other than canned meat)	0.3
(3) Butter, cheese and margarine	0.5

This amendment shall become effective March 16, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3493; Filed, March 11, 1944; 11:51 a. m.]

PART 1429—POULTRY AND EGGS

[RMPR 269, Amdt. 25]

POULTRY

Correction

In F.R. Doc. 44–2245, appearing on page 1941 of the issue for Tuesday, February 19, 1944, that portion of Temporary Table A–1 regarding poultry fats should read as follows:

TEMPORARY TABLE A–1

(Prices in cents per pound)

Raw or rendered poultry fat	Eastern Zone basing-point city	Western Zone basing-point cities	
	Chicago	New York	Pacific Coast—Los Angeles, San Francisco, Seattle and Portland
Raw poultry fat	53.0	54.0	54.5
Government inspected raw poultry fat	58.0	59.0	59.5
Rendered poultry fat	72.5	73.5	74.0
Government inspected rendered poultry fat	77.5	78.5	79.0

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 14 to Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (f) is added to read as follows:

(f) The wholesale allowable inventory factors and the classes of foods (referred to in section 13.1 (c) of Ration Order 16) are as follows:

Class of foods:	*Factors*
(1) Shortening, lard, cooking and salad oils, canned meat, canned fish, and canned milk	6.0
(2) Meat (other than canned meat)	1.8
(3) Butter, cheese, and margarine	3.0

This amendment shall become effective March 16, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1–N, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3496; Filed, March 11, 1944; 2:28 p. m.]

[1] 8 F.R. 16834, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2091, 2007.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 410,[1] Amdt. 1]

PULPWOOD PRODUCED IN THE STATES OF ARKANSAS, TEXAS, AND THAT PORTION OF LOUISIANA WEST OF THE MISSISSIPPI RIVER

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 410 is amended in the following respect:

The table of prices in Appendix A (a) (1) is amended to read as follows:

F. o. b. freight cars or barges:	
Pine	$8.35
Southern hardwood	8.80

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3490; Filed, March 11, 1944; 11:51 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 387,[2] Amdt. 2]

PULPWOOD PRODUCED IN THE STATES OF SOUTH CAROLINA, GEORGIA, FLORIDA, TENNESSEE, MISSISSIPPI, ALABAMA, LOUISIANA EAST OF THE MISSISSIPPI RIVER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 387 is amended in the following respects:

1. The table of prices in Appendix A (a) (1) is amended to read as follows:

F. o. b. freight cars:	
Pine	$7.60
Southern hardwood (rough)	8.10
Southern hardwood (peeled)	10.80
F. o. b. barges:	
Pine	$8.60

2. In Appendix A (c), subparagraph (1) is amended to read as follows:

(1) In the event that a consumer of pulpwood shall purchase pulpwood through a dealer as defined in section 8 (a) (10) hereof, such a consumer may pay such dealer not more than the maximum price herein plus a dealer's allowance not in excess of 75¢ per cord provided, however, that no commission may be paid in addition to the appropriate

*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 8508.

[2] 8 F.R. 8507.

maximum price with respect to wood shipped by barge.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3491; Filed, March 11, 1944; 11:51 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 433,[1] Amdt. 2]

PULPWOOD PRODUCED IN NORTH CAROLINA AND THAT PORTION OF VIRGINIA WEST OF THE COUNTIES OF CRAIG, MONTGOMERY, FLOYD AND PATRICK

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 433 is amended in the following respects:

1. In section 8 (a), subparagraphs (14) and (15) are revoked.

2. In Appendix A (a), subparagraph (1) is amended to read as follows:

(1) The maximum price per cord for pulpwood cut from the stump in the States of North Carolina and that portion of Virginia west of the Counties of Craig, Montgomery, Floyd, and Patrick shall not exceed the following, delivered f. o. b. cars at the seller's expense:

Rough pine	$7.60
Rough southern hardwood	8.10

3. In Appendix A (a), subparagraph (2) is revoked and subparagraphs (3), (4), (5), (6), and (7) are redesignated as (2), (3), (4), (5), and (6), respectively, and new subparagraphs (2) and (3) are amended to read as follows:

(2) *Peeling differentials.* An amount not in excess of $2.70 per cord may be added to the prices set forth in subparagraph (1) of this Appendix A for either peeled pine or peeled hardwood.

(3) *Barge wood.* An amount not in excess of $1.00 per cord may be added to the maximum prices set forth in subparagraphs (1) and (2) of this Appendix A for wood sold, f. o. b. barge at the seller's expense: *Provided, however,* That no dealer's or trader's commissions may be added to the maximum price for barge wood.

This amendment shall become effective March 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3492; Filed, March 11, 1944; 11:51 a. m.]

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 9837, 15703.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16,[1] Amdt. 21 To Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

The Official Tables of Consumer and Trade Point Values (No. 12) referred to in paragraph (a) of § 1407.3027 are amended in the following respects:

1. All "dry sausage" and "semidry sausage" items, except dry or semidry sausage in tin or glass containers, are reduced two points per pound below the current point value assigned to such items.

2. All other sausage products, except sausage products in tin or glass containers, are reduced one point per pound below the current point value assigned to such products. However, no reduction in point value is made in any sausage product currently having a point value of one point or less per pound.

This amendment shall become effective 12:01 a. m., March 12, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 11th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3497; Filed, March 11, 1944; 2:28 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 5,[2] Amdt. 51]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

General Ration Order No. 5 is amended in the following respects:

1. The title of Article XXIII is amended to read as follows: *"Article XXIII—Post exchanges, ships' service departments ashore, and certain military and naval clubs."*

2. Section 23.1 is amended to read as follows:

SEC. 23.1 *How post exchanges, ships' service departments ashore, and certain military and naval clubs obtain rationed foods for institutional use.* (a) Army, Navy, Marine Corps, and Coast Guard post exchanges and ships' service departments ashore, which make an institutional use of rationed foods, are not required to register with a board under this order. An Army, Navy, Marine Corps, or Coast Guard service club, enlisted men's club, non-commissioned officers' club or officers' club, which makes an institutional use of rationed foods, is also not required to register with a board under this order if:

(1) It is located on a military or naval post, station or installation; and

(2) It is established pursuant to regulations of the Army, Navy, Marine Corps or Coast Guard; and

(3) It is operated by Army, Navy, Marine Corps or Coast Guard personnel or their civilian employees.

(b) Allotments of rationed foods for use in establishments described in this section will be given to the Army, Navy, Marine Corps or Coast Guard or any of their appropriate branches on application therefor in accordance with arrangements made with the Washington office of the Office of Price Administration. The Washington office will issue one certificate for each rationed food on each such application. The amount for which the certificate is issued may be distributed through the use of ration checks to those various establishments.

(c) Ration bank accounts may be opened for the establishments described in this section, in the manner and with the effect described in General Ration Order 3A.

(d) An establishment described in this section which receives allotments of rationed foods from the Army, Navy, Marine Corps or Coast Guard shall, if it has registered under this order, forthwith notify the Board of that fact, and the Board shall thereupon cancel its registration. The establishment shall not receive any further allotments from the Board. An establishment which has already received allotments from the Board for any allotment period may not accept any ration check for that period from the Army, Navy, Marine Corps, or Coast Guard unless it surrenders to the Board certificates or ration checks representing the allotments granted by the Board, reduced by an amount corresponding to the number of persons served meals during that part of the allotment period which has elapsed when the ration check is received, as compared to the number of persons served meals upon which the allotments for the full period were computed.

This amendment shall become effective March 17, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1 Supp. Dir. 1-E, 1-M and 1-R, 7 F.R. 562, 2965, 7234, 9684, respectively; Food Dir. 3, 5, 6 and 7, 8 F.R. 2005, 2251, 3471, respectively)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3545; Filed, March 13, 1944; 11:59 a. m.]

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[1] 8 F.R. 16834, 16839, 16893, 17278, 17306, 17372; 9 F.R. 105, 184, 731, 1181, 1819, 2007, 2091.

[2] 8 F.R. 10002, 11676, 11480, 11479, 12483, 12557, 12403, 12744, 14472, 15488, 17486, 9 F.R. 401, 455, 692, 2212, 2287.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,[1] Amdt. 71]

TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.505 (b) (1) is amended by inserting a comma after the tire size "7.50–20" and immediately thereafter, the phrase "for an obsolete size Grade I tire when it is to replace another tire of an obsolete size as listed in § 1315.503 (b) (2)".

2. Section 1315.506 (a) (1) (ii) is amended by adding the words "front wheel" immediately before the phrase "farm tractor".

3. Section 1315.515 (b) is amended by inserting the phrase "an obsolete size Grade I tire when it is to replace another tire of an obsolete size as listed in § 1315.503 (b) (2)," before the phrase "a Grade III tire".

4. Section 1315.804 (c) (6) is amended by adding the phrase "or dealer" immediately after the word "manufacturer".

5. Section 1315.804 (c) (9) (i) is amended by deleting the word "sales" wherever it appears therein and inserting in lieu thereof the word "transfers".

6. The headnote of § 1315.805 is amended to read as follows: "§ 1315.805 *Acquisition required by law or for salvage.*"

7. The text of § 1315.805 (a) is amended to read as follows:

(a) *Persons who may acquire.* Tires or new tubes may be acquired, without certificate, in the following cases:

8. Section 1315.805 (c) is amended to read as follows:

(c) A person acquiring full title to tires or tubes under this Section shall, within thirty days, apply for an authorization to transfer such tires or tubes under §1315.804 (e) or § 1315.804 (k) and shall, within ten days after receiving the authorization, transfer the tires or tubes to the authorized transferee. The provisions of this paragraph shall not apply to a dealer, manufacturer, government or government agency or subdivision.

9. Section 1315.806 (a) (1) is amended by adding the following sentence at the end thereof:

These corporations or their representatives may not acquire tires or tubes for their use under this subparagraph.

This amendment shall become effective March 17, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3544; Filed, March 13, 1944; 11:59 a. m.]

PART 1316—COTTON TEXTILES

[RPS 35,[1] Amdt. 18]

DENIMS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Revised Price Schedule No. 35 (Carded Grey and Colored-Yarn Cotton Goods), is amended in the following respects:

1. Section 1316.58b is added to read as follows:

§ 1316.58b *Maximum price of Defense Supplies Corporation for certain denims.* The maximum price of Defense Supplies Corporation, for sales and deliveries of denims purchased from a manufacturer to whom an adjustment has been granted under § 1316.58a, shall be the actual price paid the manufacturer.

2. In § 1316.51 the words "set forth in § 1316.61, Appendix A" are amended to read: "provided for in this Revised Price Schedule".

This amendment shall become effective March 18, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3547; Filed, March 13, 1944; 12 m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 509,[2] Amdt. 1]

PACKED CITRUS PRODUCTS OF THE 1944 AND LATER PACKS

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.*

Section 2.1 (c) (1) is amended to read as follows:

(1) Processors' maximum prices for sales to government procurement agencies shall be the maximum prices named in paragraph (a) for such sales, less the amount of the applicable monthly area grapefruit juice cost reduction for the month in which such grapefruit juice was packed: *Provided,* That the monthly area grapefruit juice cost reduction for the months of October and November 1943 (not segregated according to separate months) shall be applicable to sales of grapefruit juice packed during the period from October 1, 1943, through November 30, 1943. The monthly area grapefruit juice cost reduction for the month of May 1944 shall be applicable to sales of grapefruit juice packed during the period from May 1, 1944, through September 30, 1944.

This amendment shall become effective March 13, 1944.

(56 Stat. 34, 765 Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3541; Filed, March 13, 1944; 11:58 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 296,[1] Amdt. 2]

FLOUR FROM WHEAT, SEMOLINA AND FARINA SOLD BY MILLERS, BLENDERS, PRIMARY DISTRIBUTORS AND FLOUR JOBBERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 296 is amended in the following respects:

1. Section (c) (i) of VII of Appendix A is amended to read as follows:

(c) *Maximum prices for enriched and self-rising flours from wheat and for enriched farina, except enriched family farina in packages containing five pounds or less, delivered at specified destinations.* (i) The maximum prices for flour from wheat enriched in accordance with the specifications for enriched flour as provided in subparagraph (a) of § 15.010 of the definition and standard of identity, as now or hereafter promulgated by the Federal Security Administrator, delivered at specified destinations, shall be the applicable maximum price as set forth in this Appendix A, plus an increase at the rate of 12 cents per hundred weight.

2. Section (c) (ii) of VII of Appendix A is amended to read as follows:

(ii) The maximum prices for flour from wheat enriched in accordance with paragraphs (a), (b), (c), and (d) of § 15.010 of the definition and standard of identity, as now or hereafter promulgated by the Federal Security Administrator, delivered at specified destinations, shall be the applicable maximum prices as set forth in this Appendix A, plus an increase at the rate of 22 cents per hundred weight.

This amendment shall become effective March 18, 1944.

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*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9160, 9392, 9724.

[1] 8 F.R. 1963, 5306, 15906, 16744; 9 F.R. 2020, 2477, 2237.

[2] 9 F.R. 1512, 2133.

[1] 8 F.R. 16282, 17374.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3548; Filed, March 13, 1944; 12 m.]

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 136, as Amended,[1] Amdt. 110]

METAL STAMPINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

In Appendix B the following item is added in alphabetical order:

Stampings, metal (except forgings, brass mill products, steel mill products or any product for which the manufacturer has issued a catalog or price list). The term "metal stampings" means stamped or pressed metal products which are mechanically proceeded by the use of dies and upon which further processing or finishing operations may or may not have been performed, when sold unassembled. A metal stamping may consist of two or more pieces which have been permanently joined by brazing, welding, soldering or riveting.

This amendment shall become effective March 18, 1944.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 13th day of March, 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3543; Filed, March 13, 1944; 11:58 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,[2] Amdt. 111]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.7904 (e) is amended to read as follows:

(e) Any consumer who holds valid Class R coupons, issued to him as a non-highway ration, and who desires to acquire gasoline for non-highway purposes at facilities where Class R coupons may not be accepted, may present such coupons to the issuing Board, or for good cause shown, to any Board for exchange. If the Board finds that such consumer requires non-highway ration evidences to be used for purchases of gasoline which he will make at facilities where the acceptance of Class R coupons is prohibited by the terms of § 1394.8153 (b) (4), it shall issue to the applicant in exchange Class E coupons in the quantity required for such purchases and equal in gallonage value to the gallonage value of Class R coupons surrendered.

2. Section 1394.8153 (b) (4) is amended to read as follows:

(4) On and after April 1, 1944, no transfer of gasoline in exchange for Class R coupons may be made by any dealer or by any licensed distributor from his retail facility unless:

(i) The transferor transports such gasoline from such facility to some place of delivery selected by the transferee by means of delivery facilities such as a tank truck, tank wagon or portable drums which he maintains and regularly uses for the purpose of transporting gasoline in quantities of twenty-five gallons or more, from such facility to places of delivery selected by the transferees,

(ii) The transfers are made directly into fuel tanks of motorboats at such facility, or

(iii) If the transferor has been authorized in writing by the District Director pursuant to subdivision (*a*) of this subdivision to make bulk transfers of gasoline at such facility in exchange for Class R coupons.

(*a*) The dealer or licensed distributor operating such a retail facility may make application to the local Board having jurisdiction over the area in which such facility is located for authorization by the District Director to make transfers of gasoline in exchange for Class R coupons at such facility. The application shall show what portion of the entire business of such facility is represented by bulk transfers. The Board will transmit such application with its recommendation to the District Director. If the District Director is satisfied that more than 50% of the gasoline regularly sold at such facility is delivered by bulk transfers, he shall authorize the applicant in writing to make bulk transfers in exchange for Class R coupons at such facility. The applicant shall keep the authorization issued by the District Director at such facility so long as transfers are made pursuant to such authorization.

3. Section 1394.8215 (g) is added to read as follows:

(g) (1) Before making any transfer of gasoline on or after April 1, 1944, each dealer who has in his possession or control Class R coupons and who is prohibited from making transfers of gasoline in exchange for Class R coupons at his retail facility under the provisions of § 1394.8153 (b) (4) shall attach such coupons to separate gummed sheets (Form OPA R-120). He shall summarize such coupons on a summary form (Form OPA R-541) on which no other coupons are listed. On or before April 10, 1944, each such dealer shall surrender such coupons and summaries either to a distributor in exchange for a transfer of gasoline, or to the Board having jurisdiction over the area in which his place of business is located, in exchange for inventory coupons equal in gallonage value to the coupons so surrendered.

(2) Each licensed distributor shall, on or before April 10, 1944, deposit in his ration bank account all Class R coupons which are in his possession or control on April 1, 1944, at or for any retail facility at which he is prohibited from making transfers of gasoline in exchange for Class R coupons under the provisions of § 1394.8153 (b) (4).

This amendment shall become effective March 13, 1944.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, 507, 77th Cong.; W.P.B. Dir. No. 1, 7 F.R. 562; Supp. Dir. No. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3542; Filed, March 13, 1944; 11:58 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 16]

PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Ration Order 13 is amended in the following respects:

1. Section 9.2 (b) is amended by deleting the fifth sentence and substituting therefor the following:

If the application is granted, the processed foods must be sold or transferred for points in the same way that a retailer is permitted to sell or transfer processed foods. However, an industrial user who has been charged with excess inventory pursuant to section 6.6 (f) because he produced processed foods before October 5, 1943 for his own industrial use, and who is also registered as a processor, may transfer to his processor establishment processed foods which he produced before October 5, 1943 and which are still included in his industrial user inventory, at the point value at which those foods were charged against him as industrial user excess inventory, instead of at their current point value. Within five days after the sale or transfer, the transferor must give up to the board all points which he received for the processed foods sold or transferred.

2. Section 9.5 (b) is amended by inserting before the period at the end

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*Copies may be obtained from the Office of Price Administration.

[1] 8 F.R. 16132, 9 F.R. 1523, 2032, 2138.

[2] 8 F.R. 15937, 16250, 16420; 9 F.R. 104; 8 F.R. 1645, 16846, 17484, 17297,; 9 F.R. 1181, 1180, 972, 1326, 1397, 2033, 2087, 2233.

[1] 9 F.R. 3, 104, 693, 574, 848, 765, 1393, 1727, 1817, 1908, 2233, 2234, 2240.

thereof the words ", except as provided in section 9.2 (b)".

This amendment shall become effective March 17, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; Food Directive 3, 8 F.R. 2005, and Food Directive 5, 8 F.R. 2251)

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-3546; Filed, March 13, 1944; 11:59 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 6—NAVAL RESERVE

DISCHARGE OF ENLISTED MEN

1. Change all entries "B. N. P." forms to "NavPers" where appearing in Part 6.

2. Section 6.6206 (g) (8 F.R. 9692) is amended to read as follows:

§ 6.6206 *Discharge of enlisted men.*

* * *

(g) Inaptitude discharges shall be given to those men in their first enlistment whose general qualifications are such as not to warrant further retention in the Naval Reserve and only when they have already demonstrated inaptitude therefor. In this classification are those who give insufficient evidence of being able to adapt themselves to the requirements of the Naval Reserve. Inaptitude discharges shall normally bear the notation "Awarded under honorable conditions." [Manual Circular Letter No. 17-44, Feb. 24, 1944]

(52 Stat. 1175, 54 Stat. 162, 55 Stat. 3, 56 Stat. 266, 730, 739, Pub. Law 183, 78th Cong.; 34 U.S.C. 853, 854*e*, Supp. 855*f*, 855*o*, 857-857*g*, 853*c*, 853*e*, 855*d*)

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-3537; Filed, March 13, 1944; 11:41 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office (Appendix)

[Public Land Order 211]

ARIZONA

PARTIAL REVOCATION OF LAND WITHDRAWAL

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, and to section 3 of the act of June 17, 1902, c. 1093, 32 Stat. 388 (U. S. C., title 43, sec. 416), it is ordered as follows:

Public Land Order 97 of March 16, 1943, withdrawing public lands in Arizona for the use of the War Department as an aerial gunnery and bombing range, is hereby revoked as to the following-described tract of land:

GILA AND SALT RIVER MERIDIAN

T. 9 S., R. 20 W., sec. 9, N½NE¼SW¼NW¼, 5 acres.

HAROLD L. ICKES,
Secretary of the Interior.

MARCH 3, 1944.

[F. R. Doc. 44-3514; Filed, March 13, 1944; 10:11 a. m.]

TITLE 46—SHIPPING

Chapter III—War Shipping Administration

[G. O. 15, Supp. 1]

PART 306—GENERAL AGENTS AND AGENTS

TERMINAL OPERATIONS

General Order 15 is amended as follows:

1. Effective March 1, 1944, § 306.31 *Compensation of General Agents or Agents* (designated paragraph 5 in the original General Order 15; as § 303.3, 7 F.R. 5142 at 5143; and as § 306.31, 7 F.R. 6587) is revoked.

2. Effective as of January 1, 1944, § 306.32 *Basis of compensation to General Agents and Agents* (designated paragraph 6 in the original General Order 15; as § 304.4, 7 F.R. 5142 at 5143; and as § 306.32, 7 F.R. 6587) is amended to read:

§ 306.32 *Recapture and renegotiation.* As approved or required by the Administrator, the net profit or loss from the terminal operations of General Agents or Agents, pursuant to the provisions of this order and such other orders, regulations or instructions applicable hereto, as have been or hereafter may be issued, shall be taken into account for the purpose of applying the provisions of §§ 306.96 and 306.97 of General Order 34 and any other orders, regulations or instructions applicable hereto, which hereafter may be issued.

(E.O. 9054, 7 F.R. 837)

E. S. LAND,
Administrator.

FEBRUARY 29, 1944.

[F. R. Doc. 44-3504; Filed, March 11, 1944; 4:00 p. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 31—UNIFORM SYSTEM OF ACCOUNTS, CLASS A AND CLASS B TELEPHONE COMPANIES

MISCELLANEOUS CREDITS TO SURPLUS AND UNCOLLECTIBLE OPERATING REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, made the following changes in part 31:

Section 31.402 *Miscellaneous credits to surplus* was amended by the deletion of "Unclaimed customers' deposits" from the item list.

Section 31.530 *Uncollectible operating revenues—Dr.* was amended by the addition of the following paragraph:

(d) This account shall include, in a separate subdivision thereof, credits arising from charges to accounts 160, "Customers' deposits", and 164, "Advance billing and payments", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220 (a), 48 Stat. 1078; 47 U.S.C. 220 (a))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3474; Filed, March 11, 1944; 10:50 a. m.]

PART 33—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C TELEPHONE COMPANIES

UNCOLLECTIBLE OPERATING REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, amended § 33.3090 *Uncollectible operating revenues—Dr.* by addition of a new paragraph:

(d) This account shall include, in a separate subdivision thereof, credits arising from charges to accounts 2340, "Customers' deposits", and 2360, "Advance billings and payments", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3475; Filed, March 11, 1944; 10:50 a. m.]

PART 34—UNIFORM SYSTEM OF ACCOUNTS FOR RADIOTELEGRAPH CARRIERS

UNCOLLECTIBLE REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, amended § 34.4935 *Uncollectible revenues* by the addition of the following paragraph:

(c) This account shall include, in a seperate subdivision thereof, credits arising from charges to accounts 2115, "Customers' deposits", and 2155, "Advance billings", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-3476; Filed, March 11, 1944; 10:50 a. m.]

PART 35—UNIFORM SYSTEM OF ACCOUNTS FOR WIRE-TELEGRAPH AND OCEAN-CABLE CARRIERS

CURRENT LIABILITIES AND UNCOLLECTIBLE REVENUES

The Commission on March 7, 1944, effective as of January 1, 1944, made the following changes in part 35:

Section 35.10–5 *Current liabilities* was amended by addition, at the beginning of paragraph (c), of a clause which reads:

Excepting amounts includible in account 2115, "Customers' deposits", or in account 2155, "Advance billings" (for which provision is made in section 4935, "Uncollectible revenues");

and § 35.4935 *Uncollectible revenues* was amended by the addition of a new paragraph:

(c) This account shall include, in a separate subdivision thereof, credits arising from charges to accounts 2115, "Customers' deposits", and 2155, "Advance billings", that may lawfully be written off as unrefundable because of failure to locate the rightful owner or for some similar reason.

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 220, 48 Stat. 1078; 47 U.S.C. 220)

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-3477; Filed, March 11, 1944; 10:50 a. m.]

PART 43—REPORTS (RULES GOVERNING THE FILING OF INFORMATION, CONTRACTS, PERIODIC REPORTS ETC.)

CONTRACTS AND CONCESSIONS

The Commission on March 7, 1944, effective immediately, deleted § 43.51 *Contracts relating to traffic*, and adopted the following new section in its place:

§ 43.51 *Contracts and concessions.* (a) Each carrier subject to the Act, unless it has already done so, shall, on or before April 7, 1944, file with the Commission, in duplicate, verified under oath (or affirmed according to law), complete copies of every contract, agreement, concession, license, authorization, and other arrangement to which such carrier or any person[1] directly or indirectly controlled by such carrier is a party or beneficiary, affecting communications by wire or radio and relating to the following:

(1) The exchange of services between such carrier and any common carrier not subject to the Act;

(2) The establishment or operation of land lines or cable or radio circuits or the interchange of communications traffic by such carrier or person with any other person between points in the United States, between points in the United States and points outside thereof, and between points outside the United States, or relating to the routing of traffic, rates, division of tolls, and settlement of traffic balances for and in connection with traffic handled over such lines or circuits or interchanged with any person;

(3) Rights granted to such carrier or person by any foreign government for the landing, connection, installation, or operation of cables or land lines, the construction or operation of radio stations, the opening and operation of offices, or engaging in wire or radio communications operations or functions of any kind.

(b) All persons directly or indirectly controlling any carrier subject to the Act shall, on or before April 7, 1944, file with the Commission, in duplicate, verified under oath (or affirmed according to law) complete copies of every contract, agreement, concession, license, authorization, and other arrangement to which such person or any other person[1] directly or indirectly controlled by it is a party or beneficiary, affecting communications by wire or radio and relating to the matters set forth in subparagraphs (2) and (3) of paragraph (a) of this section; *Provided, however,* That paragraph (b) of this section shall not apply to contracts, agreements, and arrangements relating solely to intrastate communications traffic within the United States. Compliance with this paragraph may be effected, on behalf of the persons required to make the filing, by carriers affiliated with such persons.

(c) Any new contract, agreement, concession, license, authorization, or other arrangement of the nature described in paragraphs (a) and (b) and any modification, amendment, or cancellation of the same or of any of the instruments described in paragraphs (a) and (b) shall be filed within 30 days after execution.

(d) If any contract, agreement, concession, license, authorization, or other arrangement, or any modification, amendment, or cancellation of the same required to be filed under this section be made other than in writing, duplicate written verified statements of the complete terms thereof shall be filed on or before April 7, 1944, or within 30 days after the making thereof.

(e) Upon the filing of any contract, agreement, concession, license, authorization, or other arrangement by one of two or more persons required hereunder to make such filing, the filing in duplicate of a statement in writing, duly sworn to (or affirmed according to law), by the other person or persons required to make such filing, identifying such document and adopting the filing thereof, shall be regarded as compliance with the requirements of this section by such other person or persons.

The Commission also deleted § 43.52 *Exclusive contracts,* and the last two paragraphs of § 43.53 *Foreign telegraph communication.*

(Sec. 4 (i), 48 Stat. 1066; 47 U.S.C. 154 (i)—sec. 211 (b), 48 Stat. 1073; 47 U.S.C. 211 (b))

By the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 44-3478; Filed, March 11, 1944; 10:50 a. m.]

[1] Except a carrier subject to the act.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Gen. Order ODT 3, Rev., Amdt. 5]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

COMMON CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, subparagraphs (1) and (2) of paragraph (a) of § 501.6 and paragraph (b) of § 501.10 of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), are hereby amended to read as follows:

§ 501.6 *Loading and operating requirements.* (a) No common carrier shall operate any motor truck in over-the-road service unless it is loaded to capacity, except as follows:

(1) Prior to the departure of an empty or partially loaded truck from any point, the carrier shall endeavor in good faith to obtain sufficient freight for loading the truck to capacity at such point, or to lease the truck, if empty, to another common carrier or to a contract carrier, consistent with any prior commitments involving the use of the truck, in the following manner:

(i) If the point of departure is not at or near a district office of the Division of Motor Transport, the carrier shall make appropriate inquiry of shippers, contract carriers, and common carriers, at their offices or terminals at such point, and shall lease the truck to another common carrier or to a contract carrier or utilize it to its load capacity, for the transportation of freight found by such inquiry to be available for transportation to or toward the destination point of the truck; or,

(ii) If the point of departure is at or near a district office of the Division of Motor Transport, the carrier shall register the truck with such district office, and shall lease the truck, or utilize it to its load capacity, for the transportation of freight registered with the district office for transportation to, toward, or beyond the destination point of the truck. The truck shall not leave such point of departure with less than a capacity load unless there is in force with respect thereto clearance authority issued by the Office of Defense Transportation in accordance with the provisions of Administrative Order ODT 10 (this issue). For the purpose of subdivisions (i) and (ii) of this subparagraph (1) a point shall be deemed to be at or near a district office when the point is within a municipality or urban community in which a district office is located, or within 25 air miles from the boundary thereof, or within any municipality or urban community contiguous thereto.

(iii) In leasing the truck, the lessee shall utilize the services of the driver regularly employed by the lessor in connection with its operation. The services of the driver, or any helper, shall be utilized without transfer of either to the lessee's payroll and, in so utilizing the truck, the lessee shall assume direction

and control thereof, and full responsibility to the public, shippers, and consignees for its operation, and shall display prominently on both sides of the vehicle the lessee's name and address, preceded by the words "operated by," and the number of any operating certificate or permit held by the lessee.

(2) In order to facilitate the loading or leasing of trucks through district offices, any common carrier who anticipates that, within 60 days thereafter, his truck will leave any point empty or partially loaded 5 or more times, shall promptly give written notice thereof to the district office nearest to such point.

* * * * *

§ 501.10 *Interchange of traffic; holding shipments; billing and rates applicable.* * * *

(b) (1) Whenever freight offered to a common carrier by a shipper at a point which is at or near a district office of the Division of Motor Transport for transportation in over-the-road service to a given city, town, or other single point of destination, aggregates or exceeds 10,000 pounds or 500 cubic feet, and whenever freight offered to a common carrier by a shipper at a point which is not at or near such a district office for transportation in over-the-road service to a given city, town, or other single point of destination aggregates or exceeds 20,000 pounds or 1,000 cubic feet, the carrier shall make collection thereof within 24 hours (exclusive of Sunday or legal holiday) after such freight is available for loading; or, if the carrier is unable to collect such freight within the time specified herein, the carrier or his agent shall promptly register the freight in accordance with the provisions of Administrative Order ODT 10 (this issue) with the district office nearest the point at which the freight is available.

(2) No common carrier shall hold, carry over, store, or warehouse any freight at any one station for longer than 36 hours, except when there is no other common carrier by rail, motor, water, or otherwise, capable of transporting the freight consistent with the provisions of this subpart. Whenever any common carrier is unable to transport, divert, or otherwise arrange for the movement of freight within the time specified herein, the carrier or his agent shall promptly register the freight in accordance with the provisions of Administrative Order ODT 10 with the district office nearest the point at which the freight is available.

(3) The provisions of the foregoing subparagraphs (1) and (2) of this paragraph (b) shall not be applicable to any common carrier who regularly operates a semiweekly or weekly service: *Provided,* That such common carrier may register freight in accordance with the provisions of Administrative Order ODT 10 (this issue) with the district office nearest the point at which the freight is available.

This Amendment 5 to General Order ODT 3, Revised, shall become effective on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3463; Filed, March 10, 1944; 3:48 p. m.]

[General Order ODT 6A, Amdt. 2]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

LOCAL CARRIERS OF PROPERTY COLLECTION AND DELIVERY; LOCAL CARTAGE SERVICE

Pursuant to Executive Orders 8989, as amended, and 9156, § 501.25 of General Order ODT 6A, as amended (8 F.R. 8757, 14582), is hereby amended to read as follows:

§ 501.25 *Submission of plans for joint action.* (a) Any two or more local carriers, in order to accomplish any of the purposes of this order, may formulate and submit to the Office of Defense Transportation for consideration, a plan or plans for joint action designed to accomplish such purposes by one or more of the methods described below:

(1) Alternate, stagger, or coordinate schedules or services between two or more points or within any area;

(2) Suspend schedules or service between two or more points or within any area, provided one or more of the participating carriers provides service between those points or within that area;

(3) Reciprocally exchange shipments of property for transportation between two or more points or within any area;

(4) Pool traffic, revenues, or both, between two or more points or within any area;

(5) Jointly load for transportation or operate a motor truck or trucks between two or more points or within any area;

(6) Divert traffic or establish arrangements with other carriers for the interchange of equipment;

(7) Operate joint terminals;

(8) Appoint one of their own number or any other person or carrier to act as its or their individual, common or joint agent, to concentrate, receive, load, forward, unload, distribute, and deliver property; receive, account for and distribute gross or net revenues therefrom;

(9) Pool or interchange manpower when by so doing the collection or delivery of property is facilitated;

(10) Jointly establish or operate a dispatching office or offices, the function of which shall be to obtain and receive information as to the availability of equipment and traffic and to route traffic and dispatch equipment when so doing will accomplish any of the purposes of General Order ODT 6A, as amended;

(11) Adopt operating rules or practices by which:

(i) A time will be established earlier than 3:00 p. m. during any calendar day after which no collection or delivery, the order for which is received after that time, will be made during such day;

(ii) A time will be established during any calendar day before or after which, during such day, property will not be accepted, collected or delivered;

(iii) The collection or delivery of property, which is once afforded and refused after advance notice, will be restricted;

(iv) Before attempting collection or delivery, definite arrangements will be made to assure the prompt completion thereof upon arrival of a motor truck for that purpose;

(v) Limitations on the frequency of collections or deliveries will be established;

(vi) Limitations will be established in respect of the marking, tagging, packing or unpacking, consolidation, separation, stacking or checking by the carriers of property which is the subject of collection or delivery;

(vii) Zones will be established for the purpose of utilizing any one or more of such operating rules or practices: *Provided, however,* That each such rule or practice adopted shall be administered fairly and without discrimination.

Provided, That General Order ODT 6A, as amended, shall not be construed to authorize any local carrier or carriers to utilize any of the methods described above unless directed so to do by the Office of Defense Transportation or unless pursuant to a contract, agreement or combination approved by the Interstate Commerce Commission or other authorized regulatory body.

(b) Any person having property for collection or delivery is requested and authorized to participate with local carriers in the formulation and submission of plans for joint action which are designed to accomplish the purposes of this order by one or more of the methods described in paragraph (a) of this § 501.25.

(c) Whenever two or more local carriers are directed in writing so to do by the Director, Division of Motor Transport, Office of Defense Transportation, such carriers shall meet, or cause their representatives to meet, for the purpose of formulating a plan or plans for joint action designed to accomplish any of the purposes of this order by one or more of the methods described in paragraph (a) of this § 501.25; and, when so directed, those carriers, within such time as may be fixed by that Director, shall submit to the Office of Defense Transportation any plan for joint action so formulated, or a statement setting forth the reasons why no plan for joint action has been formulated and submitted by them.

(d) Each plan for joint action submitted in accordance with the provisions of this § 501.25 shall be in writing, signed by each participant, and should state: (1) the full legal name, address and operating authority, if any, of each participant; (2) the territory or routes involved; (3) the specific method or methods of joint action to be used; (4) the practical application of these methods to the particular operations of the participants; (5) an estimate and explanation of the conservation to be accomplished; (6) the effect, if any, of

the proposed joint action on the maintenance of adequate transportation service; and (7) the name and address of a person to whom communications in respect of the plan may be sent.

(e) The provisions of any order of the Office of Defense Transportation, heretofore issued and in effect or hereafter issued, directing the effectuation of a plan for joint action submitted pursuant to this § 501.25 shall be binding upon any successor in interest to any carrier named in the order. Upon a transfer of any operation involved in any such order, the successor in interest and the other carriers named in the order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of its predecessor in accordance with the provisions of the order.

This Amendment 2 to General Order ODT 6A shall become effective on March 13, 1944.

NOTE: The recording and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 8989, as amended, 9156; 6 F.R. 6725 and 8 F.R. 14183, 7 F.R. 3349)

Issued at Washington, D. C., this 13th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3510; Filed, March 13, 1944; 10:05 a. m.]

[General Order ODT 13, Revocation]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

ESTABLISHMENT OF JOINT INFORMATION OFFICES

Pursuant to Executive Orders 8989, as amended, and 9156, *It is hereby ordered,* That General Order ODT 13, as amended (7 F.R. 5066, 5678), be, and it hereby is, revoked.

This revocation shall become effective on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3465; Filed, March 10, 1944; 3:48 p. m.]

[Gen. Order ODT 17, Amdt. 7]

PART 501—CONSERVATION OF MOTOR EQUIPMENT

MOTOR CARRIERS OF PROPERTY

Pursuant to Executive Orders 8989, as amended, and 9156, paragraph (a) of § 501.69 of General Order ODT 17, as amended (7 F.R. 5678, 7694, 9623; 8 F.R. 8278, 12750, 14582), is hereby amended by adding a new subparagraph designated (2a); subparagraph (5) of paragraph (a) of said § 501.69 is hereby revoked and subparagraphs (1) and (2) of paragraph (a) of said § 501.69 are hereby amended to read as follows:

§ 501.69 *Loading and operating requirements.* (a) No motor carrier shall operate any motor truck in over-the-road service unless it is loaded to capacity, except as follows:

(1) A motor truck may be operated empty or partially laden on a portion of any route, if the truck is loaded to capacity while operated over a considerable portion of the outbound or inbound route travelled in over-the-road service, and if the carrier complies with the requirements of subparagraph (2) next following.

(2) Prior to the departure of an empty truck from any point, the carrier shall endeavor in good faith to lease the truck to another carrier or to a motor common carrier, consistent with any prior commitments involving the use of the truck, in the following manner:

(i) If the point of departure is not at or near a district office of the Division of Motor Transport, the carrier shall make appropriate inquiry of other carriers and motor common carriers, at their offices or terminals at such point, and shall lease the truck to any such carrier who will utilize it to transport freight to or toward the destination point of the truck;

(ii) If the point of departure is at or near a district office of the Division of Motor Transport, the carrier shall register the truck with such district office, and shall lease the truck to any carrier or motor common carrier for the transportation of freight registered with the district office for transportation to, toward, or beyond the destination point of the truck. The truck shall not leave such point of departure empty unless there is in force with respect thereto clearance authority issued by the Office of Defense Transportation in accordance with the provisions of Administrative Order ODT 10. For the purpose of subdivisions (i) and (ii) of this subparagraph (2) a point shall be deemed to be at or near a district office when the point is within a municipality or urban community in which a district office is located, or within 25 air miles from the boundary thereof, or within any municipality or urban community contiguous thereto.

(iii) In leasing the truck, the lessee shall utilize the services of the driver regularly employed by the lessor in connection with its operation. The services of such driver, or any helper, shall be utilized without transfer of either to the lessee's payroll and, in so utilizing the truck, the lessee shall assume direction and control thereof, and full responsibility to the public, shippers, and consignees for its operation, and shall display prominently on both sides of the vehicle the lessee's name and address, preceded by the words "Operated by," and the number of any operating certificate or permit held by the lessee; and if the lessee is a private carrier, the truck shall be so utilized for the transportation of property only to a point to which, or in an area within which, the lessee ordinarily operates motor trucks, and only when, except for such utilization, the lessee would have used his own truck for that transportation.

(iv) In order to facilitat the leasing of trucks through district offices, any motor carrier who anticipates that, within 60 days thereafter, his truck will leave any point empty 5 or more times, shall promptly give written notice thereof to the district office nearest to such point.

(2a) The exceptions and provisions contained in subparagraphs (1) and (2) of this paragraph (a) of § 501.69 shall not be applicable to any person who is engaged in the business of furnishing, under lease or other arrangement, a motor truck or motor trucks together with a driver or drivers to others for operation by the lessee in common, contract, or private carrier over-the-road service, but such motor truck or motor trucks, when not being utilized by a common, contract, or private carrier, shall not be operated in over-the-road service. The operation of any such truck or trucks, while under lease or other arrangement, by a common, contract, or private carrier shall be deemed to be the operation of the lessee and, as such, subject to all orders of the Office of Defense Transportation pertaining to the operations of the lessee.

Subparagraph (5) of paragraph (a) of § 501.69 shall be revoked, and this Amendment 7 to General Order ODT 17 shall become effective, on March 27, 1944.

(E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-3466; Filed, March 10, 1944; 3:48 p. m.]

[Administrative Order ODT 10]

PART 503—ADMINISTRATION

REGISTRATION OF FREIGHT AND EMPTY AND PARTIALLY LOADED VEHICLES

General outline. Under circumstances specified in General Order ODT 3, Revised, as amended, common carriers are required to register with a district office empty or partially loaded trucks, and freight which cannot be moved within a limited time. Under circumstances specified in General Order ODT 17, as amended, private and contract carriers are required to register empty trucks with a district office. Copies of the relevant provisions of those general orders are attached to this order for ready reference.

This administrative order prescribes procedure for such registration, and specifies the information to be submitted. It also permits contract carriers to register freight.

To the extent necessary to avoid operation of empty or partially loaded trucks in over-the-road service, the district manager is authorized to direct that a registered truck shall be used for a specific movement of freight, or that an empty truck shall be leased to a carrier for the transportation of freight, or, if such arrangements are not feasible, to issue clearance authority, permitting departure of the empty or partially loaded truck from the point of registration.

This authority, for single or repeated departures, will be issued under circumstances specified in the order.

A common carrier registering an empty or partially loaded truck may be required to accept and transport registered freight, or, if the registered truck is empty, may be required to lease it to a contract carrier or to another common carrier.

Private and contract carriers are not required to register, or to obtain clearance authority for, partially loaded trucks. Such carriers must register empty trucks only, and may be required to lease such trucks to other carriers.

The district manager is authorized to direct, without discrimination, preference, or partiality, that registered freight be transported by a specified common carrier or that the carrier registering the freight shall lease an empty registered truck and use it for transportation of the registered freight.

Whenever, for the purpose of complying with orders of the Office of Defense Transportation, the truck is leased together with the services of the driver or helper regularly employed thereon, without transfer of either to the lessee's payroll, a prescribed standard form of lease must be used, and the terms and conditions under which the truck is leased will be governed by the provisions of the prescribed standard form. The carriers may agree on the amount of compensation to be paid for such leasing. Except as otherwise agreed, the compensation shall be computed in accordance with schedules prescribed by the Office of Defense Transportation. If either carrier believes that the compensation computed in accordance with the prescribed schedules is inequitable, both carriers nevertheless shall promptly comply with the district manager's direction, but either carrier may apply to any duly authorized tribunal for the determination of compensation or may appeal to the Office of Defense Transportation for such determination. Pending such determination, provisional settlement, on the basis of the prescribed schedule, is required.

This general outline shall not be construed to alter the meaning of any provision of this order.

The text of Administrative Order ODT 10 follows:

Pursuant to the Act of May 31, 1941, as amended by the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21, and in order to regulate registration of empty and partially loaded trucks and of freight available for transportation, pursuant to the provisions of General Order ODT 3, Revised, as amended, and General Order ODT 17, as amended, and in order to reduce operation of empty or partially loaded trucks in over-the-road service, it is hereby ordered, that:

Sec.

503.270 Registration of truck; information required.
503.271 Registration of freight; information required.
503.272 Registration of freight by contract carrier.
503.273 Withdrawal of registration.
503.274 Use of information registered.
503.275 Authority of district manager.
503.276 Issuance of clearance authority.
503.277 Issuance of general clearance authority.
503.278 Lease of vehicle; form; compensation.
503.279 Compliance by carriers.
503.280 Determination of compensation; appeals.
503.281 Applicability.
503.282 Definitions.
503.283 Communications.

AUTHORITY: §§ 503.270 through 503.283, issued under Act of May 31, 1941, as amended by Second War Powers Act, 1942, 56 Stat. L. 176, 50 U. S. Code §§ 631 through 645a; E.O. 8989, as amended, 6 F.R. 6725 and 8 F.R. 14183; E.O. 9156, 9214, 9294, 7 F.R. 3349, 6097, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834; Gen. Ord. ODT 3, Rev., as amended, 7 F.R. 5445, 6689, 7694, 8 F.R. 4660, 14582, 9 F.R. 947, and this issue; Gen. Ord. ODT 17, as amended, 7 F.R. 5678, 7694, 9623, 8 F.R. 8278, 12750, 14582, and this issue.

§ 503.270 *Registration of truck; information required.* Every carrier, in registering an empty or partially loaded truck in compliance with General Order ODT 3, Revised, as amended, or General Order ODT 17, as amended, shall submit to the district office by telephone, telegraph, or in person, the following information:

(a) The place at which the person submitting the information may be reached;

(b) The name and address of the owner, lessee, or operator of the truck;

(c) The kind of carrier operating the truck, specifying whether common, contract, or private;

(d) The type of equipment, type of body, and the payload capacity thereof by weight and volume;

(e) The weight or volume and the nature of freight and dunnage, if any, loaded on the truck;

(f) The point and time at which the truck will be available for loading;

(g) The destination of the truck; and

(h) The Certificate of War Necessity number, license plate number, and the State in which the truck is registered.

§ 503.271 *Registration of freight; information required.* Every common carrier, in registering freight in compliance with General Order ODT 3, Revised, as amended, shall submit to the district office by telephone, telegraph, or in person, the following information:

(a) The name and address of the carrier submitting the information;

(b) The name of the shipper, the location of the freight, and the time when the freight will be ready for loading;

(c) The commodity or the nature of the freight to be transported;

(d) The weight or volume of the freight; and

(e) The destination of the freight.

§ 503.272 *Registration of freight by contract carrier.* Any contract carrier may register with a district office, in the manner provided in § 503.271 of this order, any freight available for transportation in over-the-road service which is controlled by or in the possession of or on order to such carrier.

§ 503.273 *Withdrawal of registration.* If, after registration, any truck or freight becomes unavailable for the purpose for which it was registered, the registering carrier forthwith shall notify the district office thereof and of the reasons therefor, and thereupon the registration shall be cancelled.

§ 503.274 *Use of information registered.* Information registered pursuant to this order shall be used by the district manager, as provided in §§ 503.275 and 503.276 of this order, without discrimination, preference, or partiality.

§ 503.275 *Authority of district manager.* (a) Upon registration of a truck or freight by a carrier pursuant to this order, the district manager, to the extent necessary to avoid operation of empty or partially loaded trucks in over-the-road service, may:

(1) In respect of an empty or partially loaded truck registered by a common carrier, direct that the truck be used in a specific movement for the transportation of designated freight;

(2) In respect of an empty truck registered by any type of carrier, direct that the truck be leased to a common or contract carrier for the transportation of registered freight;

(3) In respect of registered freight, (i) direct that it be transported by a specified common carrier which has registered a truck, or (ii) direct that the carrier registering the freight shall lease from a carrier a designated registered truck and use the truck for the transportation of such freight; or

(4) Issue clearance authority as provided in § 503.276 of this order.

(b) The district manager shall not direct a carrier to transport in any truck more than a capacity load or direct the transportation of freight in any truck unsuitable or inadequate for such transportation.

(c) The district manager shall not direct a common carrier to perform any transportation service which it is not authorized to perform.

(d) The district manager shall not direct a common carrier to transport freight, or direct any carrier to lease a truck for transportation of freight, beyond the registered destination of the truck, or to any point off the route that the truck otherwise would have traveled, unless:

(1) The distance travelled by reason of complying with such direction will not exceed by more than 25% the distance the truck otherwise would have travelled to reach its registered destination, and

(2) The truck will be laden with 50% or more of a capacity load for 75% or more of the distance travelled.

(e) The district manager shall give to any private carrier who inquires therefor information as to empty trucks registered by private or contract carriers.

§ 503.276 *Issuance of clearance authority.* (a) Subject to the provisions of § 503.275 of this order, clearance authority shall be issued by the district manager, in respect of a registered truck:

(1) To a common carrier (i) when the carrier has accepted for transportation all freight that the district manager has directed the carrier to transport, or (ii) when there is no registered freight which the district manager is authorized to direct the carrier to transport, and, if the truck is moving empty, there is no registered carrier to which the

district manager is authorized to direct that the truck be leased.

(2) To a private or contract carrier, if there is no registered carrier to which the district manager is authorized to direct that the truck be leased.

(b) The issuance of clearance authority shall be evidenced by a clearance number, which shall be assigned by the district manager in respect of the registered truck at the time of issuance thereof, and shall authorize the movement of the truck to a specified point without further inquiry or registration. The clearance number may be given to the carrier, or to the carrier's representative, in person or by telephone or telegraph.

§ 503.277 *Issuance of general clearance authority.* Whenever it appears to a district manager that a truck will repeatedly depart from any point under circumstances that will warrant issuance of separate clearance authorities under the provisions of § 503.276 of this order, the district manager may issue written general clearance authority, in lieu of such separate clearance authorities, and may limit the period of effectiveness of, or at any time revoke, such general clearance authority.

§ 503.278 *Lease of vehicle; form; compensation.* (a) Whenever, for the purpose of complying with any order of the Office of Defense Transportation, a truck is leased, together with the services of a driver or helper, without transfer of either to the lessee's payroll, a written lease shall be executed by the carriers in the form hereby prescribed therefor, as reproduced in Appendix 1 hereof: *Provided,* That, where the circumstances permit and the carriers agree, a multiple trip lease substantially in the form herein prescribed, may be executed by the carriers. The leasing of the truck shall be subject to all of the terms and conditions specified in such form of lease. Upon agreement of both carriers, additional terms and conditions, not in conflict with the prescribed terms and conditions, may be included in the lease.

(b) One copy of the lease shall be carried in the truck throughout the period of utilization, and one copy shall be mailed by the lessee, postage prepaid, to the district office in the district in which the transportation begins, within 24 hours after its execution.

(c) Except as may be otherwise provided in the lease agreement between the carriers, the amount of compensation to be paid to the lessor of a truck by the lessee, when the leasing is effected under the circumstances set forth in paragraph (a) of this § 503.278, shall be computed in accordance with schedules governing such compensation hereby prescribed therefor, as reproduced in Appendix 2 hereof, and in effect in the district in which the transportation begins. Such schedules, in so far as they relate to transportation beginning in each district, shall be on file and available for public inspection in each district office.

§ 503.279 *Compliance by carriers.* Whenever either carrier believes that the amount of compensation computed in accordance with the prescribed schedules is inequitable, both carriers nevertheless shall comply promptly with any direction issued by the district manager in accordance with this order, and the lessee shall pay to the lessor, upon termination of the lease, or at such other time as may have been agreed upon, the amount computed by the lessee to be payable under the applicable prescribed schedules. Such payment may be made and received without prejudice to a determination of the amount of compensation by any duly authorized tribunal, or by the Office of Defense Transportation upon appeal of either carrier for such determination in accordance with § 503.280 of this order.

§ 503.280 *Determination of compensation; appeals.* (a) Any appeal for determination of compensation filed pursuant to § 503.279 of this order shall be in writing, shall be filed, within 10 days after expiration of the lease, with the district manager of the district in which transportation under the lease began, and shall state the reasons why the compensation paid or received is claimed to be inequitable. The carrier filing the appeal shall serve a copy thereof forthwith upon the other carrier by registered mail, at the latter's address shown in the lease. Upon receipt of the appeal the district manager shall forward the appeal, and all papers in his possession relating thereto, to the regional director of the region in which such district is located. Within a time limited by the regional director, the carriers may submit any written evidence, briefs, or arguments deemed relevant to the appeal. The regional director shall render a decision in writing, determining the amount of compensation payable, as the facts may warrant, and shall serve a copy of his decision upon the carriers by registered mail at their addresses shown in the lease.

(b) Within 10 days after the mailing of a copy of the regional director's decision, either carrier may file with the regional director a written appeal to the Director of the Office of Defense Transportation, Washington 25, D. C., which shall state the reasons why the decision should be changed. Upon receipt of the appeal, the regional director shall forward the appeal, and all papers in his possession relating to the matter to be reviewed, to the Director of the Office of Defense Transportation, who will affirm, increase or reduce the amount of compensation determined by the regional director, as the facts appearing in the record may warrant, and will notify the carriers thereof.

§ 503.281 *Applicability.* The provisions of this order shall be applicable only in the continental United States.

§ 503.282 *Definitions.* As used in this order, the term: (a) "Truck" means either (1) a straight truck, (2) a combination truck-tractor and semitrailer, (3) a full trailer, (4) or any combination thereof, (5) or any other rubber-tired vehicle propelled or drawn by mechanical power when used in the transportation of property, other than a vehicle engaged primarily in the transportation of persons.

(b) "Person" means any individual, partnership, corporation, association, joint-stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Columbia, or any other political governmental or legal entity.

(c) "Common carrier" means any person which holds itself out to engage in the transportation of property for the general public in over-the-road service by truck for compensation, regardless of the designation of such person under any federal or state statute.

(d) "Contract carrier" means any person other than a common carrier which engages in the transportation of property by truck in over-the-road service for compensation, regardless of the designation of such person under any federal or state statute.

(e) "Private carrier" means any person, other than a common carrier or a contract carrier, which engages in the transportation of property by truck in over-the-road service, regardless of the designation of such person under any federal or state statute.

(f) "Carrier," unless otherwise indicated by the context, includes common carriers, contract carriers and private carriers.

(g) "Over-the-road service" means all operations of a truck except (1) those within an area which includes any municipality or urban community and a zone extending 25 air miles from the boundaries thereof; (2) those within and between contiguous municipalities or urban communities; and (3) those not more than 25 miles in length.

(h) "Capacity load" has the meaning specified for that term in § 501.4 (g) of General Order ODT 3, Revised, as amended, and in § 501.65 (h) of General Order ODT 17, as amended.

(i) "District" and "region" mean, respectively, a district and region of the Division of Motor Transport of the Office of Defense Transportation as described in Administrative Order ODT 6 (8 F.R. 13194).

(j) "District Office" shall include any branch thereof.

(k) "District Manager" means the manager of a district.

(l) "Regional Director" means a director of a region.

(m) "Continental United States" means the 48 states and the District of Columbia.

§ 503.283 *Communications.* Communications concerning this order should refer to "Administrative Order ODT 10," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective on March 27, 1944.

NOTE: The reporting and recording requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued at Washington, D. C., this 10th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

TRIP LEASE OF TRUCK

1. This trip lease is executed in compliance with orders of the Office of Defense Transportation pertaining to the leasing of empty trucks.

2. The lessor, _____ (name) _____ (business address) represents that in the course of normal operation lessor intends to operate the truck described below from _____ (city and state) to _____ (city and state) on _____ (date) as a _____ (common, contract, or private) carrier, and that, except for this lease, the truck described below would move empty from _____ (city and state) to _____ (city and state).

3. The lessee, _____ (name) _____ (business address) represents that lessee is a _____ (common, contract, or private) carrier.

4. The term of this lease shall be the duration of one single trip from _____ (city and state) to _____ (city and state) via highway _____.

5. The following is a description of the truck covered by this lease:

(a) Truck or tractor No. _____ Make _____ Model _____ Year _____ Type of body _____ Serial No. _____ License No. _____.

(b) Semi-trailer No. _____ Make _____ Model _____ Year _____ Type of body _____ Serial No. _____ License No. _____.

(c) Full trailer No. _____ Make _____ Model _____ Year _____ Type of body _____ Serial No. _____ License No. _____.

6. During the term of this lease the leased truck shall be operated only by the driver named _____. Such driver, and any helper furnished by the lessor, shall remain on lessor's payroll.

7. Unless otherwise agreed herein, the leased truck shall not be operated for the purpose of making more than one collection and one delivery of freight transported in line-haul operation of the truck.

8. The compensation to be paid to the lessor by the lessee for the leasing of the truck and for the services of the driver named in paragraph 6 shall be paid upon termination of this lease, unless otherwise agreed herein, and shall be computed as follows:

(a) [*Here insert details of compensation, including time of payment, if and as agreed upon between the carriers, or, if not agreed upon, specify the method or means to be used in computing or determining compensation.*]

(b) If no agreed amount, or means or method of computing or determining the amount, of compensation is specified in subparagraph (a) next preceding, the compensation under this lease shall be computed in accordance with the schedule of compensation prescribed by the Office of Defense Transportation and in effect in the district of the Division of Motor Transport in which transportation under this lease begins, or shall be as finally determined by the Office of Defense Transportation upon application by either carrier, in accordance with Administrative Order ODT 10.

(c) In computing compensation for excess time, if any, during which the leased truck is held at destination for unloading, the hours between _____ o'clock __ M. on _____ (date) and _____ o'clock __ M. on _____ (date) shall not be included.

9. This lease is executed in triplicate.

10. The lessor and lessee hereby agree to all of the terms, conditions, and representations set forth in this lease, including those appearing on the reverse side hereof.

_____
Lessor

By _____
Agent

_____
Lessee

By _____
Agent

Date _____ Time _____

ADDITIONAL TERMS, CONDITIONS AND REPRESENTATIONS

(To be reproduced on reverse side of lease)

A. The lessee, upon completion of the loading of the vehicle, shall furnish lessor with documentary evidence of the weight or volume of the freight loaded thereon.

B. The lessee shall assume direction and control of the leased vehicle and full responsibility to the public, shippers, and consignees, for its operation. The lessee shall also display prominently on both sides of the leased vehicle (on tractor only, where tractor-trailer is involved) the name of the lessee preceded by the words "Operated by," and the number of any operating certificate or permit held by the lessee.

C. The lessee shall pay only such tolls, ferry charges, state fees, and fines as are directly attributable to the transportation of lessee's freight in the leased vehicle.

D. The lessee, if a private carrier, represents that the leased vehicle is to be utilized for the transportation of property only to a point to which, or in an area within which, the lessee ordinarily operates motor trucks, and that, except for such utilization, the lessee would have used his own truck for the transportation to be performed hereunder in the leased vehicle.

E. The lessor, during the term of this lease, shall be responsible for the maintenance, service, and repair of the leased vehicle, and shall provide motor fuel, oil, tires, and other equipment necessary to operate the vehicle.

F. The lessor, during the term of this lease, shall be responsible for the deduction and payment of all payroll deductions, tax withholdings, taxes, assessments, premiums, and other payments, due by reason of the payment of wages or other earnings to the driver or any helper utilized in the operation of the leased vehicle without transfer to the lessee's payroll.

G. The lessor's copy of this lease shall be carried in the leased vehicle throughout the period of utilization, one copy shall be retained by the lessee, and one copy shall be mailed by the lessee, postage prepaid, within 24 hours after its execution, to the district office in the district of the Division of Motor Transport, Office of Defense Transportation, in which transportation under the lease is to begin.

H. Other terms, conditions, and representations, not inconsistent with the foregoing:

APPENDIX 2

SCHEDULES AND RULES AND REGULATIONS GOVERNING COMPENSATION FOR TRIP LEASES OF TRUCKS

Rule 1. *General application.* Schedules 1 to 9, inclusive, are to be used in determining the compensation for the use of a truck leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, when and if the lessor and lessee are unable to agree as to the amount of compensation to be paid the lessor by the lessee for the use of the truck.

Rule 2. *Territorial application.* Schedule 1 applies to the use of a truck leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, when the use of such truck begins at any point within Region 1 of the Division of Motor Transport, Office of Defense Transportation, as described in Appendix 1 to Administrative Order ODT 6.

Schedules 2, 3, 4, 5, 6, 7, 8, and 9 apply in like manner to the use of a truck leased under the circumstances set forth in paragraph (a) of §503.278 of Administrative Order ODT 10, when the use of such truck begins at any point within Regions 2, 3, 4, 5, 6, 7, 8, and 9, respectively, of the Division of Motor Transport, Office of Defense Transportation, as described in Appendix 1 to Administrative Order ODT 6, subject to the following exceptions:

(a) When the use of such leased truck begins at any point within Region 7 and terminates, under the provisions of the trip lease, at a point located in Region 8, Schedule 8 shall apply, and when such termination point is located in Region 9, Schedule 9 shall apply;

(b) When the use of such leased truck begins at a point within the Denver, Colorado; Pueblo, Colorado; Billings, Montana; Casper, Wyoming; or Cheyenne, Wyoming, districts of Region 8 of the Division of Motor Transport, as described in Appendix 3 to Administrative Order ODT 6, and terminates, under the provisions of the trip lease, at a point located in Region 5, Schedule 5 shall apply, and when such termination point is located in Region 6, Schedule 6 shall apply.

Rule 3. *Monetary application of schedules.* Schedules 1 to 9, inclusive, specify compensation per mile for indicated weights and distances.

Rule 4. *Loading and unloading time.* Schedules 1 to 9, inclusive, include compensation for a period not to exceed two hours for waiting and loading at point of origin, and not to exceed two hours for waiting and unloading at point of destination.

Rule 5. *Excess time.* All time in excess of two hours at either origin or destination point, whether consumed in waiting, loading or unloading, shall be considered as excess time. The lessor shall receive compensation from the lessee for such excess time at the hourly rate prevailing for the driver in line-haul operation.

If the lessee specifies a time and point for loading, and if, at the specified time, lessor's truck is at the designated point and ready to load, excess time shall start two hours after the time specified; if, at the specified time, lessor's truck is not at the designated point and ready to load, excess time shall start two hours after lessor's truck arrives at the designated point and is ready to load. If the lessee does not specify a time, then the excess time shall start two hours after the lessor's truck arrives at the designated point and is ready for loading.

Excess time at point of destination shall start two hours after the time the leased truck arrives at the point of destination, unless otherwise specified in the lease.

Rule 6. *Excess mileage.* When a leased truck is operated for the purpose of effecting collection or delivery of freight transported or to be transported in the leased truck in line-haul operation, the lessor shall be compensated for any excess mileage so operated at the same compensation per mile applicable to the distance the leased truck travels in line-haul operation.

Rule 7. *Method of determining weight.* Weight shall be determined in nearest tons, a fraction of one-half or greater shall be treated as one ton; a fraction of less than one-half shall be disregarded. Volume shipments shall be converted to tons. For the purpose of that conversion, a cubic foot of space occupied by the freight shall be deemed to equal 20 pounds of freight by weight.

Rule 8. *Method of determining distance.* The distance to be used in computing the compensation under Rule 10 for line-haul operation shall be the distance shown in the current edition of the Rand-McNally Atlas of the United States, Canada and Mexico between the points, and via the routes, specified in the lease.

Rule 9. *Definitions.* As used in this Appendix 2 the term:

(a) "Ton" means two thousand pounds.

(b) "Line-haul operation" means the use of a truck while leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, and operated between the points and via the routes specified in the lease.

(c) "Volume shipment" means freight weighing less than 20 pounds per cubic foot of space occupied.

Rule 10. *Method of determining line-haul compensation.*

First: Determine the applicable weight in accordance with Rule 7.

Example: The freight to be transported weighs nine thousand pounds. By Rule 7, nine thousand pounds will be regarded as 5 tons.

Second: Determine the applicable distance in accordance with Rule 8.

Example: The leased truck is operated by the lessee from point A to point B. The map distance between those points, via the routes specified in the lease, is 140 miles. The distance actually traveled in line-haul operation is 143 miles. The line-haul distance for which compensation is payable is 140 miles.

Third: If the distance found by applying Rule 8 appears in the "Line Haul Miles Traveled" column of the Schedule, the compensation is determined by multiplying the distance by the *compensation per mile* specified in the applicable "Ton Load" column of the Schedule.

Example: The line-haul distance found under Rule 8 is 140 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for the line-haul operation is 140×$0.151, or $21.14.

Fourth: If the distance found by applying Rule 8 does not appear in the "Line Haul Miles Traveled" column of the Schedule, the compensation is determined by multiplying the distance found by the *compensation per mile* specified in the applicable "Ton Load" column for the next lower distance appearing in the "Line Haul Miles Traveled" column: *Provided,* That the compensation payable shall in no event exceed the compensation payable for the same weight at the next higher distance appearing in the "Line Haul Miles Traveled" column.

Example: The line-haul distance found under Rule 8 is 146 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for the line-haul operation is 146×$0.151, or $22.05.

Using the same weight, but increasing the map distance to 152 miles, the computed compensation for 152 line-haul miles at $0.151 would be $22.95. Because that sum exceeds the compensation payable for 160 line-haul miles which is the next higher distance shown in Schedule 1 (160×$0.139, or $22.24) the compensation payable under Schedule 1 for 152 line-haul miles is $22.24.

Fifth: If the distance found by applying Rule 8 is less than 50 miles, the compensation is determined by multiplying the distance found by the *compensation per mile* specified in the applicable "Ton Load" column for a line haul of 50 miles.

Example: The line-haul distance found under Rule 8 is 40 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for line-haul operation is 40×$0.286, or $11.44.

Sixth: If, *under Schedule 1,* the distance found by applying Rule 8 is more than four hundred miles, the compensation is determined by multiplying the distance found by the *compensation per mile* specified in the applicable "Ton Load" column for a line-haul of four hundred miles.

Example: The line-haul distance found under Rule 8 is 439 miles. The weight found under Rule 7 is 5 tons. The compensation payable under Schedule 1 for line-haul operation is 439 x $.083 or $36.44.

SCHEDULE NO. 1—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 1

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50	-------	-------	0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60	-------	-------	.203	.228	.253	.279	.304	.329	.355	.380
70	-------	-------	.184	.207	.230	.253	.276	.299	.322	.345
80	-------	-------	.170	.191	.213	.234	.255	.276	.298	.319
90	-------	-------	.159	.179	.199	.219	.239	.259	.279	.299
100	-------	-------	.151	.170	.189	.208	.227	.246	.264	.283
120	-------	-------	.133	.150	.167	.183	.200	.217	.233	.250
140	-------	-------	.121	.136	.151	.166	.181	.196	.211	.226
160	-------	-------	.111	.125	.139	.153	.166	.180	.194	.208
180	-------	-------	.103	.116	.129	.142	.155	.168	.181	.194
200	-------	-------	.098	.110	.122	.134	.146	.159	.171	.183
220	-------	-------	.092	.104	.115	.127	.138	.150	.162	.173
240	-------	-------	.087	.098	.109	.120	.131	.142	.153	.164
260	-------	-------	.084	.094	.105	.115	.126	.136	.146	.157
280	-------	-------	.081	.091	.101	.111	.121	.131	.141	.151
300	-------	-------	.078	.088	.097	.107	.117	.127	.136	.146
320	-------	-------	.075	.085	.094	.103	.113	.122	.132	.141
340	-------	-------	.073	.082	.091	.100	.109	.118	.127	.136
360	-------	-------	.070	.079	.088	.097	.106	.114	.123	.132
380	-------	-------	.068	.077	.085	.094	.102	.111	.119	.128
400 and over	-------	-------	.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE NO. 2—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 2

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50	-------	-------	0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60	-------	-------	.203	.228	.253	.279	.304	.329	.355	.380
70	-------	-------	.184	.207	.230	.253	.276	.299	.322	.345
80	-------	-------	.170	.191	.213	.234	.255	.276	.298	.319
90	-------	-------	.159	.179	.199	.219	.239	.259	.279	.299
100	-------	-------	.151	.170	.189	.208	.227	.246	.264	.283
120	-------	-------	.133	.150	.167	.183	.200	.217	.233	.250
140	-------	-------	.121	.136	.151	.166	.181	.196	.211	.226
160	-------	-------	.111	.125	.139	.153	.166	.180	.194	.208
180	-------	-------	.103	.116	.129	.142	.155	.168	.181	.194
200	-------	-------	.098	.110	.122	.134	.146	.159	.171	.183
220	-------	-------	.092	.104	.115	.127	.138	.150	.162	.173
240	-------	-------	.087	.098	.109	.120	.131	.142	.153	.164
260	-------	-------	.084	.094	.105	.115	.126	.136	.146	.157
280	-------	-------	.081	.091	.101	.111	.121	.131	.141	.151
300	-------	-------	.078	.088	.097	.107	.117	.127	.136	.146
320	-------	-------	.075	.085	.094	.103	.113	.122	.132	.141
340	-------	-------	.073	.082	.091	.100	.109	.118	.127	.136
360	-------	-------	.070	.079	.088	.097	.106	.114	.123	.132
380	-------	-------	.068	.077	.085	.094	.102	.111	.119	.128
400 and over	-------	-------	.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE NO. 3—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 3

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60			.203	.228	.253	.279	.304	.329	.355	.380
70			.184	.207	.230	.253	.276	.299	.322	.345
80			.170	.191	.213	.234	.255	.276	.298	.319
90			.159	.179	.199	.219	.239	.259	.279	.299
100			.151	.170	.189	.208	.227	.246	.264	.283
120			.133	.150	.167	.183	.200	.217	.233	.250
140			.121	.136	.151	.166	.181	.196	.211	.226
160			.111	.125	.139	.153	.166	.180	.194	.208
180			.103	.116	.129	.142	.155	.168	.181	.194
200			.098	.110	.122	.134	.146	.159	.171	.183
220			.092	.104	.115	.127	.138	.150	.162	.173
240			.087	.098	.109	.120	.131	.142	.153	.164
260			.084	.094	.105	.115	.126	.136	.146	.157
280			.081	.091	.101	.111	.121	.131	.141	.151
300			.078	.088	.097	.107	.117	.127	.136	.146
320			.075	.085	.094	.103	.113	.122	.132	.141
340			.073	.082	.091	.100	.109	.118	.127	.136
360			.070	.079	.088	.097	.106	.114	.123	.132
380			.068	.077	.085	.094	.102	.111	.119	.128
400 and over			.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE NO. 4—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 4

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.207	0.233	0.259	0.285	0.311	0.336	0.362	0.388
60			.183	.206	.229	.252	.275	.298	.321	.344
70			.166	.187	.208	.229	.249	.270	.291	.312
80			.154	.174	.193	.212	.231	.251	.270	.289
90			.144	.162	.180	.198	.216	.234	.252	.270
100			.136	.153	.171	.188	.205	.222	.239	.256
120			.120	.135	.151	.166	.181	.196	.211	.226
140			.109	.123	.136	.150	.163	.177	.190	.204
160			.100	.113	.125	.138	.150	.163	.175	.188
180			.093	.105	.117	.128	.140	.152	.163	.175
200			.088	.099	.110	.121	.132	.143	.154	.165
220			.083	.094	.104	.114	.125	.135	.146	.156
240			.080	.089	.099	.109	.119	.129	.139	.149
260			.076	.085	.095	.104	.114	.123	.133	.142
280			.073	.082	.091	.100	.110	.119	.128	.137
300			.070	.079	.088	.097	.106	.114	.123	.132
320			.068	.076	.085	.093	.102	.110	.119	.127
340			.066	.074	.082	.090	.098	.107	.115	.123
360			.063	.071	.079	.087	.095	.103	.111	.119
380			.062	.070	.077	.085	.093	.101	.108	.116
400 and over			.060	.068	.075	.083	.090	.098	.105	.113

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.414	0.440	0.465	0.491	0.517	0.543	0.569	0.549	0.620	0.646
60	.367	.390	.413	.436	.459	.482	.505	.528	.551	.574
70	.333	.354	.375	.395	.416	.437	.458	.479	.500	.521
80	.308	.328	.347	.366	.385	.405	.424	.443	.462	.482
90	.288	.306	.324	.342	.360	.378	.396	.414	.432	.450
100	.273	.290	.307	.324	.342	.359	.376	.393	.410	.427
120	.241	.256	.271	.286	.301	.316	.332	.347	.362	.377
140	.218	.231	.245	.258	.272	.285	.299	.313	.326	.340
160	.201	.213	.226	.238	.251	.263	.276	.289	.301	.314
180	.187	.198	.210	.222	.233	.245	.257	.268	.280	.292
200	.176	.187	.198	.209	.220	.231	.242	.253	.264	.275
220	.166	.177	.187	.198	.208	.218	.229	.239	.250	.260
240	.159	.169	.179	.189	.199	.208	.218	.228	.238	.248
260	.151	.161	.170	.180	.189	.199	.208	.218	.227	.237
280	.146	.155	.164	.174	.183	.192	.201	.210	.219	.228
300	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
320	.135	.144	.152	.161	.169	.178	.186	.195	.203	.212
340	.131	.139	.148	.156	.164	.172	.180	.189	.197	.205
360	.127	.135	.143	.151	.159	.167	.175	.183	.191	.198
380	.124	.131	.139	.147	.155	.162	.170	.178	.186	.193
400 and over	.121	.128	.136	.143	.151	.158	.166	.173	.181	.188

SCHEDULE No. 5—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 5

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.207	0.233	0.259	0.285	0.311	0.336	0.362	0.388
60			.183	.206	.229	.252	.275	.298	.321	.344
70			.166	.187	.208	.229	.249	.270	.291	.312
80			.154	.174	.193	.212	.231	.251	.270	.289
90			.144	.162	.180	.198	.216	.234	.252	.270
100			.136	.153	.171	.188	.205	.222	.239	.256
120			.120	.135	.151	.166	.181	.196	.211	.226
140			.109	.123	.136	.150	.163	.177	.190	.204
160			.100	.113	.125	.138	.150	.163	.175	.188
180			.093	.105	.117	.128	.140	.152	.163	.175
200			.088	.099	.110	.121	.132	.143	.154	.165
220			.083	.094	.104	.114	.125	.135	.146	.156
240			.080	.089	.099	.109	.119	.129	.139	.149
260			.076	.085	.095	.104	.114	.123	.133	.142
280			.073	.082	.091	.100	.110	.119	.128	.137
300			.070	.079	.088	.097	.106	.114	.123	.132
320			.068	.076	.085	.093	.102	.110	.119	.127
340			.066	.074	.082	.090	.098	.107	.115	.123
360			.063	.071	.079	.087	.095	.103	.111	.119
380			.062	.070	.077	.085	.093	.101	.108	.116
400 and over			.060	.068	.075	.083	.090	.098	.105	.113

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.414	0.440	0.465	0.491	0.517	0.543	0.569	0.549	0.620	0.646
60	.367	.390	.413	.436	.459	.482	.505	.528	.551	.574
70	.333	.354	.375	.395	.416	.437	.458	.479	.500	.521
80	.308	.328	.347	.366	.385	.405	.424	.443	.462	.482
90	.288	.306	.324	.342	.360	.378	.396	.414	.432	.450
100	.273	.290	.307	.324	.342	.359	.376	.393	.410	.427
120	.241	.256	.271	.286	.301	.316	.332	.347	.362	.377
140	.218	.231	.245	.258	.272	.285	.299	.313	.326	.340
160	.201	.213	.226	.238	.251	.263	.276	.289	.301	.314
180	.187	.198	.210	.222	.233	.245	.257	.268	.280	.292
200	.176	.187	.198	.209	.220	.231	.242	.253	.264	.275
220	.166	.177	.187	.198	.208	.218	.229	.239	.250	.260
240	.159	.169	.179	.189	.199	.208	.218	.228	.238	.248
260	.151	.161	.170	.180	.189	.199	.208	.218	.227	.237
280	.146	.155	.164	.174	.183	.192	.201	.210	.219	.228
300	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
320	.135	.144	.152	.161	.169	.178	.186	.195	.203	.212
340	.131	.139	.148	.156	.164	.172	.180	.189	.197	.205
360	.127	.135	.143	.151	.159	.167	.175	.183	.191	.198
380	.124	.131	.139	.147	.155	.162	.170	.178	.186	.193
400 and over	.121	.128	.136	.143	.151	.158	.166	.173	.181	.188

SCHEDULE No. 6—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION No. 6

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60			.203	.228	.253	.279	.304	.329	.355	.380
70			.184	.207	.230	.253	.276	.299	.322	.345
80			.170	.191	.213	.234	.255	.276	.298	.319
90			.159	.179	.199	.219	.239	.259	.279	.299
100			.151	.170	.189	.208	.227	.246	.264	.283
120			.133	.150	.167	.183	.200	.217	.233	.250
140			.121	.136	.151	.166	.181	.196	.211	.226
160			.111	.125	.139	.153	.166	.180	.194	.208
180			.103	.116	.129	.142	.155	.168	.181	.194
200			.098	.110	.122	.134	.146	.159	.171	.183
220			.092	.104	.115	.127	.138	.150	.162	.173
240			.087	.098	.109	.120	.131	.142	.153	.164
260			.084	.094	.105	.115	.126	.136	.146	.157
280			.081	.091	.101	.111	.121	.131	.141	.151
300			.078	.088	.097	.107	.117	.127	.136	.146
320			.075	.085	.094	.103	.113	.122	.132	.141
340			.073	.082	.091	.100	.109	.118	.127	.136
360			.070	.079	.088	.097	.106	.114	.123	.132
380			.068	.077	.085	.094	.102	.111	.119	.128
400 and over			.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE NO. 7—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 7

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.229	0.257	0.286	0.315	0.343	0.372	0.400	0.429
60			.203	.228	.253	.279	.304	.329	.355	.380
70			.184	.207	.230	.253	.276	.299	.322	.345
80			.170	.191	.213	.234	.255	.276	.298	.319
90			.159	.179	.199	.219	.239	.259	.279	.299
100			.151	.170	.189	.208	.227	.246	.264	.283
120			.133	.150	.167	.183	.200	.217	.233	.250
140			.121	.136	.151	.166	.181	.196	.211	.226
160			.111	.125	.139	.153	.166	.180	.194	.208
180			.103	.116	.129	.142	.155	.168	.181	.194
200			.098	.110	.122	.134	.146	.159	.171	.183
220			.092	.104	.115	.127	.138	.150	.162	.173
240			.087	.098	.109	.120	.131	.142	.153	.164
260			.084	.094	.105	.115	.126	.136	.146	.157
280			.081	.091	.101	.111	.121	.131	.141	.151
300			.078	.088	.097	.107	.117	.127	.136	.146
320			.075	.085	.094	.103	.113	.122	.132	.141
340			.073	.082	.091	.100	.109	.118	.127	.136
360			.070	.079	.088	.097	.106	.114	.123	.132
380			.068	.077	.085	.094	.102	.111	.119	.128
400 and over			.066	.074	.083	.091	.099	.107	.116	.124

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.458	0.486	0.515	0.543	0.572	0.601	0.629	0.658	0.686	0.715
60	.405	.431	.456	.481	.507	.532	.557	.583	.608	.633
70	.368	.391	.414	.437	.460	.483	.506	.529	.552	.575
80	.340	.362	.383	.404	.425	.447	.468	.489	.510	.532
90	.319	.339	.359	.379	.398	.418	.438	.458	.478	.498
100	.302	.321	.340	.359	.378	.396	.415	.434	.453	.472
120	.267	.283	.300	.317	.333	.350	.367	.383	.400	.417
140	.241	.256	.271	.286	.301	.316	.331	.347	.362	.377
160	.222	.236	.250	.264	.277	.291	.305	.319	.333	.347
180	.207	.220	.233	.246	.259	.272	.285	.298	.310	.323
200	.195	.207	.220	.232	.244	.256	.268	.281	.293	.305
220	.185	.196	.208	.219	.231	.242	.254	.265	.277	.288
240	.175	.186	.197	.208	.219	.229	.240	.251	.262	.273
260	.167	.178	.188	.199	.209	.220	.230	.241	.251	.262
280	.161	.171	.181	.191	.201	.211	.221	.232	.242	.252
300	.156	.165	.175	.185	.195	.204	.214	.224	.234	.243
320	.150	.160	.169	.179	.188	.197	.207	.216	.226	.235
340	.145	.154	.163	.172	.181	.190	.199	.208	.218	.227
360	.141	.150	.158	.167	.176	.185	.194	.202	.211	.220
380	.137	.145	.154	.162	.171	.179	.188	.196	.205	.213
400 and over	.132	.141	.149	.157	.165	.174	.182	.190	.198	.207

SCHEDULE NO. 8—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 8

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.227	0.256	0.284	0.312	0.341	0.369	0.398	0.426
60			.210	.236	.262	.288	.314	.341	.367	.393
70			.197	.222	.246	.271	.296	.321	.345	.370
80			.188	.211	.235	.258	.282	.305	.329	.352
90			.181	.204	.226	.249	.271	.294	.316	.339
100			.175	.197	.219	.240	.262	.284	.306	.328
120			.158	.178	.198	.218	.237	.257	.277	.297
140			.146	.165	.183	.202	.220	.238	.257	.275
160			.138	.156	.173	.190	.207	.225	.242	.259
180			.131	.148	.164	.180	.197	.213	.230	.246
200			.126	.142	.157	.173	.189	.205	.220	.236
220			.120	.135	.151	.166	.181	.196	.211	.226
240			.116	.131	.145	.160	.174	.189	.203	.218
260			.112	.127	.141	.155	.169	.183	.197	.211
280			.109	.123	.137	.150	.164	.178	.191	.205
300			.107	.120	.133	.147	.160	.173	.187	.200
320			.105	.118	.131	.144	.157	.170	.183	.196
340			.102	.115	.127	.140	.153	.166	.178	.191
360			.100	.113	.125	.138	.150	.163	.175	.188
380			.099	.111	.123	.136	.148	.160	.173	.185
400 and over			.097	.109	.121	.134	.146	.158	.170	.182

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.454	0.483	0.511	0.540	0.568	0.596	0.625	0.653	0.682	0.710
60	.419	.445	.471	.498	.524	.550	.576	.602	.628	.655
70	.395	.419	.444	.469	.494	.518	.543	.568	.592	.617
80	.376	.399	.423	.446	.470	.493	.517	.540	.564	.587
90	.362	.384	.407	.429	.452	.474	.497	.519	.542	.565
100	.350	.372	.394	.416	.438	.459	.481	.503	.525	.547
120	.317	.337	.356	.376	.396	.416	.436	.456	.475	.495
140	.293	.312	.330	.348	.367	.385	.403	.422	.440	.459
160	.276	.294	.311	.328	.345	.363	.380	.397	.414	.432
180	.262	.279	.295	.312	.328	.344	.361	.377	.393	.410
200	.252	.268	.283	.299	.315	.331	.346	.362	.378	.394
220	.241	.256	.271	.286	.301	.317	.332	.347	.362	.377
240	.233	.247	.262	.276	.291	.305	.320	.334	.349	.363
260	.225	.239	.253	.267	.281	.295	.310	.324	.338	.352
280	.219	.232	.246	.260	.273	.287	.301	.314	.328	.342
300	.213	.227	.240	.253	.267	.280	.293	.307	.320	.333
320	.209	.222	.235	.248	.261	.274	.287	.301	.314	.327
340	.204	.216	.229	.242	.255	.267	.280	.293	.306	.318
360	.201	.213	.226	.238	.251	.263	.276	.288	.301	.313
380	.197	.210	.222	.234	.247	.259	.271	.284	.296	.308
400 and over	.194	.206	.218	.231	.243	.255	.267	.279	.291	.303

SCHEDULE NO. 9—COMPENSATION PER MILE AT VARYING WEIGHTS AND MILES APPLICABLE TO O. D. T. REGION NO. 9

Line haul miles traveled	1-ton load	2-ton load	3-ton load	4-ton load	5-ton load	6-ton load	7-ton load	8-ton load	9-ton load	10-ton load
50			0.227	0.256	0.284	0.312	0.341	0.369	0.398	0.426
60			.210	.236	.262	.288	.314	.341	.367	.393
70			.197	.222	.246	.271	.296	.321	.345	.370
80			.188	.211	.235	.258	.282	.305	.329	.352
90			.181	.204	.226	.249	.271	.294	.316	.339
100			.175	.197	.219	.240	.262	.284	.306	.328
120			.158	.178	.198	.218	.237	.257	.277	.297
140			.146	.165	.183	.202	.220	.238	.257	.275
160			.138	.156	.173	.190	.207	.225	.242	.259
180			.131	.148	.164	.180	.197	.213	.230	.246
200			.126	.142	.157	.173	.189	.205	.220	.236
220			.120	.135	.151	.166	.181	.196	.211	.226
240			.116	.131	.145	.160	.174	.189	.203	.218
260			.112	.127	.141	.155	.169	.183	.197	.211
280			.109	.123	.137	.150	.164	.178	.191	.205
300			.107	.120	.133	.147	.160	.173	.187	.200
320			.105	.118	.131	.144	.157	.170	.183	.196
340			102	.115	.127	.140	.153	.166	.178	.191
360			.100	.113	.125	.138	.150	.163	.175	.188
380			.099	.111	.123	.136	.148	.160	.173	.185
400 and over			.097	.109	.121	.134	.146	.158	.170	.182

Line haul miles traveled	11-ton load	12-ton load	13-ton load	14-ton load	15-ton load	16-ton load	17-ton load	18-ton load	19-ton load	20-ton load
50	0.454	0.483	0.511	0.540	0.568	0.596	0.625	0.653	0.682	0.710
60	.419	.445	.471	.498	.524	.550	.576	.602	.628	.655
70	.395	.419	.444	.469	.494	.518	.543	.568	.592	.617
80	.376	.399	.423	.446	.470	.493	.517	.540	.564	.587
90	.362	.384	.407	.429	.452	.474	.497	.519	.542	.565
100	.350	.372	.394	.416	.438	.459	.481	.503	.525	.547
120	.317	.337	.356	.376	.396	.416	.436	.456	.475	.495
140	.293	.312	.330	.348	.367	.385	.403	.422	.440	.459
160	.276	.294	.311	.328	.345	.363	.380	.397	.414	.432
180	.262	.279	.295	.312	.328	.344	.361	.377	.393	.410
200	.252	.268	.283	.299	.315	.331	.346	.362	.378	.394
220	.241	.256	.271	.286	.301	.317	.332	.347	.362	.377
240	.233	.247	.262	.276	.291	.305	.320	.334	.349	.363
260	.225	.239	.253	.267	.281	.295	.310	.324	.338	.352
280	.219	.232	.246	.260	.273	.287	.301	.314	.328	.342
300	.213	.227	.240	.253	.267	.280	.293	.307	.320	.333
320	.209	.222	.235	.248	.261	.274	.287	.301	.314	.327
340	.204	.216	.229	.242	.255	.267	.280	.293	.306	.318
360	.201	.213	.226	.238	.251	.263	.276	.288	.301	.313
380	.197	.210	.222	.234	.247	.259	.271	.284	.296	.308
400 and over	.194	.206	.218	.231	.243	.255	.267	.279	.291	.303

[F. R. Doc. 44-3464; Filed, March 10, 1944; 3:48 p. m.]

Notices

NAVY DEPARTMENT.

LEGAL ASSISTANCE FOR NAVAL PERSONNEL

LOCAL SUPERVISION AND COORDINATION

Paragraph 4 of the instructions relative to the establishment of legal assistance offices in the naval service appearing in the July 14, 1943 issue of the FEDERAL REGISTER (8 F.R. 9631) is amended to read as follows:

4. *Local supervision and coordination.* The district legal officer of each naval district shall, under the direction of the Commandant, exercise general supervision and coordination of all legal assistance offices within the district at activities under the general jurisdiction of the Commandant. Close liaison will also be maintained between the district legal officer and all legal assistance offices at other activities located within the district, for the purpose of coordinating all legal assistance offices. [N. D. Bul. 44-209, Feb. 26, 1944]

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 44-3538; Filed, March 13, 1944; 11:41 a. m.]

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

COLORADO-BIG THOMPSON PROJECT, COLO.

PARTIAL REVOCATION OF FIRST FORM WITHDRAWAL

JANUARY 10, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Colorado-Big Thompson project, the withdrawal of the hereinafter described land, withdrawn in the first form prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental order of September 14, 1937, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said order as withdrew the lands hereinafter listed be revoked, *Provided*, That such revocation shall not affect the withdrawal of any other lands by said order or affect any other order withdrawing or reserving the lands hereinafter listed.

COLORADO-BIG THOMPSON PROJECT
SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 79 W.,
Sec. 17, NE¼SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: February 24, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation regarding the Colorado-Big Thompson project is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

FEBRUARY 29, 1944.

[F. R. Doc. 44-3512; Filed, March 13, 1944; 10:11 a. m.]

SALT RIVER PROJECT, ARIZ.

PARTIAL REVOCATION OF FIRST AND SECOND FORM WITHDRAWALS

FEBRUARY 10, 1944.

The SECRETARY OF THE INTERIOR.

SIR: From recent investigations in connection with the Salt River project, the withdrawal of the hereinafter described lands, withdrawn in the first and second forms prescribed by section 3 of the act of June 17, 1902 (32 Stat. 388), by departmental orders of July 2 and August 26, 1902, December 4, 1908, August 21, 1909, November 7, 1918, October 7, 1920 and November 16, 1921, no longer appears necessary to the interests of the project.

It is therefore recommended that so much of said orders as withdrew the lands hereinafter listed be revoked: *Provided*, That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter listed.

SALT RIVER PROPECT

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 1 N., R. 1 E.,
Secs. 1 to 15, inclusive;
Secs. 17 and 18;
Sec. 19, N½N½, S½SE¼;
Sec. 20, N½NE¼, W½, S½SE¼;
Secs. 21, 22;
Sec. 23, N½, SW¼;
Sec. 24, NW¼.
T. 2 N., R. 1 E.,
Secs. 1, 2, 3;
Sec. 4, SE¼;
Sec. 9, E½;
Secs. 10 to 15, inclusive;
Sec. 17, SE¼;
Secs. 20 to 29, inclusive;
Sec. 30, E½E½;
Sec. 31, E½;
Secs. 32 to 35, inclusive.

T. 3 N., R. 1 E.,
Sec. 1, W½SW¼, SE¼SW¼;
Sec. 11, E½;
Secs. 12, 13, 14;
Sec. 22, E½;
Secs. 23 to 27, inclusive;
Secs. 34 and 35.
T. 1 N., R. 2 E.,
Secs. 1 to 12, inclusive;
Sec. 14, N½N½;
Sec. 15, N½;
Secs. 17 and 18;
Sec. 19, N½NE¼, NW¼;
Sec. 34, E½NE¼, S½;
Sec. 35.
T. 2 N., R. 2 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 35, inclusive.
T. 3 N., R. 2 E.,
Sec. 7, SW¼, W½SE¼, SE¼SE¼;
Sec. 17, SW¼NW¼, SW¼, SW¼SE¼;
Secs. 18, 19, 20;
Sec. 21, SW¼NE¼, W½, SE¼;
Sec. 25, S½;
Sec. 26, SW¼, S½SE¼;
Sec. 27, W½NW¼, SE¼NW¼, S½;
Secs. 28 to 35, inclusive.
T. 1 N., R. 3 E.,
Secs. 1 to 11, inclusive;
Sec. 12, NW¼;
Sec. 25, S½;
Sec. 26, S½;
Sec. 27, S½;
Sec. 28, S½;
Sec. 29, S½;
Sec. 30, S½SE¼;
Secs. 31 to 35, inclusive;
Sec. 36, E½SE¼, SW¼SE¼.
T. 2 N., R. 3 E.,
Sec. 4, S½NW¼SW¼NE¼NW¼, SW¼SW¼NE¼NW¼, NW¼NW¼, S½NW¼, W½NE¼SW¼, W½SW¼, SE¼SW¼, W½SE¼, SE¼SE¼;
Secs. 5 to 9, inclusive;
Sec. 10, W½, W½SE¼;
Sec. 13, SW¼, W½SE¼, SE¼SE¼;
Sec. 14, E½, NE¼NE¼NW¼, W½NE¼NW¼, W½NW¼SE¼NE¼NW¼, SW¼SE¼NE¼NW¼, SE¼SE¼NE¼NW¼, W½NW¼, SE¼NW¼, SW¼;
Sec. 15;
Secs. 17 to 35, inclusive.
T. 3 N., R. 3 E.,
Sec. 30, S½S½;
Secs. 31, 32;
Sec. 33, W½SW¼.
T. 1 N., R. 4 E.,
Sec. 1, N½, N½SW¼, N½SE¼;
Sec. 2;
Sec. 3, E½;
Sec. 4;
Sec. 5, N½;
Sec. 6, N½, N½SW¼;
Sec. 19, S½S½;
Sec. 20, S½;
Sec. 21, S½;
Sec. 22, S½;
Sec. 23, S½;
Sec. 24, S½N½, S½;
Secs. 25 to 30, inclusive;
Sec. 31, N½, N½S½, S½SE¼;
Secs. 32 to 35, inclusive;
Sec. 36, W½, SE¼.
T. 2 N., R. 4 E.,
Sec. 11, E½;
Secs. 12, 13;
Sec. 14, E½, SW¼;
Sec. 18, SW¼SW¼;
Sec. 19, W½, SE¼;
Sec. 22, E½SE¼, SW¼SE¼;
Sec. 23, E½, E½W½, SW¼NW¼, W½SW¼;
Secs. 24 to 31 inclusive;
Sec. 32, N½, SW¼;
Sec. 33, S½N½, SE¼;
Sec. 34, E½;
Secs. 35, 36.
T. 1 N., R. 5 E.,
Sec. 1, E½, NW¼, N½SW¼, SE¼SW¼;
Sec. 2, E½NE¼, SE¼;
Sec. 10, S½;
Secs. 11 to 15, inclusive;
Sec. 19, S½N½, S½;
Secs. 20 to 35, inclusive.
T. 2 N., R. 5 E.,
Secs. 1 to 21, inclusive;
Sec. 22, N½, SE¼;
Sec. 23 N½NE¼, NW¼;
Sec. 27, W½NW¼;
Sec. 28, N½, SW¼;
Secs. 29, 30, 31;
Sec. 32, N½, SW¼.
T. 1 N., R. 6 E.,
Sec. 6, SW¼;
Sec. 7;
Sec. 8, W½SW¼;
Sec. 17, W½NW¼, N½SW¼, NW¼SE¼;
Sec. 18, N½, N½S½;
Sec. 19, S½;
Sec. 20, S½;
Sec. 21, SW¼;
Sec. 28, W½NE¼, SE¼NE¼, NW¼, S½;
Secs. 29 to 33, inclusive.
T. 2 N., R. 6 E.,
Secs. 1 to 10, inclusive;
Sec. 11, N½, N½S½;
Sec. 12, N½;
Sec. 15, NW¼;
Secs. 16, 17, 18;
Sec. 19, N½N½;
Sec. 20, N½N½;
Sec. 21, N½NW¼;
Sec. 31, S½S½;
Sec. 32, N½SW¼SW¼, NE¼SE¼.
T. 2 N., R. 7 E.,
Sec. 20, SE¼;
Secs. 21 to 27, inclusive;
Sec. 28, E½;
Secs. 34, 35, 36.
T. 3 N., R. 7 E.,
Secs. 1, 2, 3;
Secs. 10 to 15, inclusive;
Secs. 22, 23, 24;
Sec. 25, N½, N½SW¼;
Sec. 26, N½;
Sec. 27, N½.
T. 1 N., R. 8 E.,
Sec. 16;
Sec. 17, N½;
Sec. 18, N½.
T. 1 S., R. 2 E.,
Sec. 1, N½, SW¼;
Secs. 2, 3, 4;
Sec. 5, E½, SW¼;
Sec. 6, S½;
Sec. 7, lots 1, 2, 6, 7, 8, 9, 10, NE¼, E½NW¼, N½SE¼, SE¼SE¼;
Secs. 8, 9;
Sec. 10, N½, N½SW¼;
Sec. 11, NW¼NE¼, N½NW¼;
Sec. 12, NW¼;
Secs. 17 to 20, inclusive;
Sec. 21, lots 4, 5;
Sec. 28, lots 6, 7, 8, 9, NW¼NW¼, S½NW¼, SW¼, W½SE¼;
Secs. 29 to 33, inclusive;
Sec. 34, lots 7, 8, 9, 10, 11, SW¼NW¼, SW¼, SW¼SE¼.
T. 1 S., R. 3 E.,
Sec. 1, N½N½, SW¼NW¼;
Sec. 2, N½;
Sec. 3, N½, SW¼;
Sec. 4, N½;
Sec. 5, N½NE¼, SE¼NE¼, E½NW¼, SW¼NW¼, NW¼SW¼;
Sec. 6, W½, SE¼;
Sec. 7, NE¼, N½NW¼.
T. 1 S., R. 4 E.,
Secs. 1 to 4, inclusive;
T. 1 S., R. 4 E.—(Continued),
Sec. 5, N½N½;
Sec. 6, N½NE¼;
Sec. 9, N½, E½SW¼, SE¼;
Secs. 10 to 15, inclusive;
Sec. 16, S½;
Sec. 17, E½SE¼;
Sec. 20, E½E½, W½SE¼;
Secs. 21 to 29, inclusive;
Sec. 30, SE¼;
Secs. 31 to 35, inclusive;
Sec. 36, S½NE¼, N½NW¼, SW¼NW¼, S½.
T. 1 S., R. 5 E.,
Secs. 1 to 15, inclusive;
Sec. 16, E½SW¼SW¼, N½NW¼SW¼SW¼, N½NE¼SE¼SW¼, W½SE¼SW¼, NW¼SE¼;
Secs. 17 to 35, inclusive.
T. 2 S., R. 5 E.,
Secs. 1 to 10, inclusive;
Sec. 11, NW¼, N½SW¼, SW¼SW¼;
Sec. 15;
Secs. 17 to 21, inclusive;
Sec. 22, W½E½, W½;
Sec. 27, W½E½, W½;
Secs. 28 to 33, inclusive;
Sec. 34, NW¼, W½SW¼, W½E½SW¼.
T. 1 S., R. 6 E.,
Sec. 3, W½;
Secs. 4 to 9, inclusive;
Sec. 10, W½;
Sec. 15, W½;
Secs. 17 to 20, inclusive;
Sec. 21, N½, N½SW¼, N½SW¼SW¼, SE¼SW¼;
Sec. 29, N½, SW¼, NW¼SE¼;
Secs. 30, 31.
T. 2 S., R. 6 E.,
Sec. 6, N½, SW¼.

Respectfully,

H. W. BASHORE,
Commissioner.

I concur: February 28, 1944.

FRED W. JOHNSON,
Commissioner of the General Land Office.

The foregoing recommendation is hereby approved, and it is so ordered. The jurisdiction over and use of such lands by the Bureau of Reclamation shall cease upon the date of the signing of this order.

This order, however, shall not otherwise become effective to change the status of the lands until 10:00 o'clock a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights, become subject to such application, petition, location, or selection as may be authorized by the public land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

The Commissioner of the General Land Office is hereby authorized and directed to cause the records of his office and of the local land office to be noted accordingly.

MICHAEL W. STRAUS,
First Assistant Secretary.

MARCH 1, 1944.

[F. R. Doc. 44-3511; Filed, March 15, 1944; 10:11 a. m.]

DEPARTMENT OF AGRICULTURE.

War Food Administration.

[P. & S. Docket No. 1558]

MISSISSIPPI VALLEY STOCK YARDS CO.

ORDERS OF INQUIRY AND SUSPENSION, AND NOTICE OF HEARING

In the matter of Carroll P. Poland, doing business as the Mississippi Valley Stock Yards Company, respondent.

The order of inquiry, order of suspension, and notice of hearing, dated June 8, 1943, issued for the purpose of investigating the reasonableness of the respondent's rates and charges and of any rules, regulations, and practices affecting such rates and charges, and to determine whether any stockyard service is rendered without making a lawful charge therefor, is herewith amended by adding the following allegation:

The respondent at divers times has failed to keep such accounts, records, and memoranda as fully and correctly disclose all transactions involved in his business including, but not limited to, the following: (1) Failure to set up purchases of feed in the feed account for 1942 and 1943; (2) Failure to retain bills covering water consumption for the period from January 1, 1938 to June 30, 1943; (3) Entering in the repairs and maintenance account items having no relation to such account for the period from 1938 to 1943; (4) Over-stating salaries and wages by failing to credit properly the account for wages paid through the Stock Yard's pay roll for affiliated organizations; (5) Failure to issue vouchers representing petty cash expenditures for part of 1940 and 1942 and the full year 1941; (6) Failure to maintain insurance accounts properly in 1942 and 1943; (7) Failure to set up in the accounts receivable account items reflecting sales of feed to Art Schroeder in 1939; (8) Understating liability with respect to notes payable.

Notice to the respondent is herewith given that a hearing concerning the allegations made in the order of inquiry and this amendment shall be held before an examiner at a time and place of which the respondent will have at least ten days' notice. At such hearing the respondent and all other iterested persons will have the right and opportunity to present such evidence with respect to the matters and things alleged as may be relevant and material.

A copy of this order shall be served upon the respondent by registered mail.

This order shall be published in the FEDERAL REGISTER.

(7 U.S.C. 1940 ed. 181 et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 11th day of March 1944.

THOMAS J. FLAVIN,
Assistant to the War Food Administrator.

[F. R. Doc. 44-3502; Filed, March 11, 1944; 3:43 p. m.]

DEPARTMENT OF LABOR.

Division of Public Contracts.

EVAPORATED AND POWDERED SKIMMED MILK

EXTENSION OF CONTRACTS

In the matter of an exception from the provisions of the Walsh-Healey Public Contracts Act of contracts for evaporated milk and powdered skimmed milk.

Whereas upon request of the Secretary of War an exception was granted by me on November 4, 1942, pursuant to the powers vested in me by section 6 of the Walsh-Healey Public Contracts Act (49 Stat. 2036; 41 U.S.C. 35) permitting the award of contracts for evaporated milk and powdered skimmed milk during the period from this date to December 31, 1943, without the inclusion in such contracts of the representations and stipulations of section 1 of the act; and

Whereas the Acting Secretary of War on February 22, 1944, has requested an extension of this exception to December 31, 1944, and has made written findings that the inclusion in proposals issued or contracts let on or before this date of the representations and stipulations required by section 1 of the act will seriously impair the conduct of Government business; and

Whereas objections have been filed to the grant of the requested extension; and

Whereas it appears that justice and the public interest will be served by granting such exception on a temporary basis pending a full hearing and final determination of the action to be taken on the request of the Acting Secretary of War,

Now, therefore, I do hereby extend the exception of November 4, 1942, permitting the award of contracts for evaporated milk and powdered skimmed milk to May 31, 1944, without the inclusion in such contracts of the representations and stipulations of section 1 of the act, unless otherwise ordered.

Dated: March 10, 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-3489; Filed, March 11, 1944; 11:53 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket Nos. 413 and 1300]

TRANSCONTINENTAL & WESTERN AIR, INC., AND AMERICAN AIRLINES, INC.

NOTICE OF HEARING

In the matter of the applications of Transcontinental & Western Air, Inc., and American Airlines, Inc., for amendment of existing certificates of public convenience and necessity so as to include Joplin, Mo., Tulsa, Okla., and Oklahoma City, Okla., as intermediate points.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, in the above-entitled proceeding, that hearing is assigned for April 12, 1944, at 10 a. m. (eastern war time) in Room 1851 Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Lawrence J. Kosters.

Dated Washington, D. C., March 9, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3520; Filed, March 13, 1944; 11:08 a. m.]

[Docket Nos. 651, 659, 1100, 1134, 1135, 536]

MID-CONTINENT AIRLINES, INC., ET AL.

NOTICE OF HEARING

In the matter of the applications of Mid-Continent Airlines, Inc., Kansas City Southern Transport Co., Delta Air Corporation, and National Airlines, Inc., for certificates of public convenience and necessity or amendment of certificates of public convenience and necessity so as to authorize air transportation service between New Orleans, La., and Kansas City, Mo., via various intermediate points.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, in the above-entitled proceeding, that hearing is assigned for April 3, 1944, at 10 a. m. (eastern war time) in the Foyer of the Auditorium, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner Frank A. Law, Jr.

Dated: Washington, D. C., March 9, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3519; Filed, March 13, 1944; 11:08 a. m.]

[Docket No. 857]

INVESTIGATION OF LOCAL, FEEDER, PICKUP AIR SERVICES

NOTICE OF ORAL ARGUMENT

In the matter of the investigation of local, feeder, and pickup air services.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 and 1002 of said act, that oral argument in the above-entitled proceeding is assigned to be held on April 5, 1944, at 10 a. m. (eastern war time) in Room 5042 Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated Washington, D. C., March 10, 1944.

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-3518; Filed, March 13, 1944; 11:08 a. m.]

[Docket No. SA-84]

INVESTIGATION OF ACCIDENT NEAR CENTERVILLE, TENN.

NOTICE OF FURTHER HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 16008 which occurred near Centerville, Tennessee, on October 15, 1943.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding, that further hearing is hereby assigned to be held on the 18th day of March, 1944, at 10:00 a. m. (e. w. t.) in Room 209, TWA Hangar 6, LaGuardia Field, New York.

Dated at Washington, D. C., March 13, 1944.

ALLEN P. BOURDON,
Presiding Officer.

[F. R. Doc. 44-3539; Filed, March 13, 1944; 11:59 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 103, Special Permit 5]

SHIPMENT OF CANADIAN MALTING BARLEY FROM MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.4, 8 F.R. 572) of Service Order No. 103 of January 12, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 103 insofar as it applies to the acceptance and movement by railroad of 25,500 bushels of Canadian malting barley shipped by the Checkerboard Elevator Company from Minneapolis, Minnesota, to destination in Mexico, provided shipper will advise car numbers and dates of shipment of each car.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 9th day of March 1944.

HOMER C. KING,
Director, Bureau of Service.

[F. R. Doc. 44-3530; Filed, March 13, 1944; 11:20 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 53, as Amended, Amdt.]

HARA AND CO.

Whereas, by Vesting Order No. 53, dated July 22, 1942, as amended, the undersigned vested, "All property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, the branch office of Hara and Company, New York, New York;"

Now, therefore, under the authority of the Trading with the Enemy Act, as amended, and the authority vested by the President in the undersigned, and pursuant to law, the undersigned, after investigation, has found and determined that the property so vested included the complete and unqualified title to the property hereinafter described in subparagraphs 4 and 5 hereof.

To the extent, if any, that any part of the property listed in subparagraphs 4 and 5 and the complete and unqualified title therein and thereto was not vested in the Alien Property Custodian on July 22, 1942, by Vesting Order No. 53, the undersigned, under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, and after investigation:

Finding:

1. That Hara and Company, whose principal place of business is in Yokohama, Japan is a partnership organized under the laws of Japan, composed of Ryozabura Hara, Tasaburo Hara, Takeo Saigo, Kenichiro Saigo and Sue Hara, and as a national of a designated enemy country (Japan);

2. That Ryozabura Hara, Tasaburo Hara, Takeo Saigo, Kenichiro Saigo and Sue Hara, whose last known addresses are Yokohama, Japan, are nationals of a designated enemy country (Japan);

3. That Hara and Company has an established agency or branch office at New York, New York, which is engaged in the conduct of business within the United States and is a business enterprise within the United States;

4. That the 536 bales and 12 books of silk referred to in subparagraph 5 hereof were owned by Hara and Company at the time of their requisitioning by the War Production Board on February 10, 1942, pursuant to Requisition WPB No. 2B-WPB-47-55/41;

5. That the property described as follows: The claim of Hara and Company for fair and just compensation arising out of the requisitioning by the War Production Board of 536 bales and 12 books of silk,

is property within the United States owned by nationals of a designated enemy country (Japan); and

Determining:

6. That the branch office of Hara and Company New York, New York, is owned and controlled by Hara and Company of Yokohama, Japan, and is a national of a designated enemy country (Japan);

7. That to the extent that any of such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to Hara and Company and its branch office at New York, New York, including particularly but not limited to the property described in subparagraph 5 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of the branch office of Hara and Company, New York, New York to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof or to indicate that compensation will not be paid in lieu thereof, or to vary the extent of such direction, management, supervision or control or to terminate the same, if and when it should be determined that any of such action should be taken.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of said Executive order.

This amendment is supplemental to and in no way diminishes, restricts or limits the force and effect of said Vesting Order No. 53; and nothing herein contained shall diminish, restrict or limit any rights, titles or interests vested in the undersigned, as the Alien Property Custodian, pursuant to said Vesting Order No. 53.

Executed at Washington, D. C., on March 8, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3528; Filed, March 13, 1944; 11:12 a. m.]

[Vesting Order 1017, Amdt.]

LOUISE AND ELIZA BREDENWISCHER

Whereas pursuant to Vesting Order Number 1017 of March 4, 1943, the undersigned purported to vest all right, title, interest and claim of any kind or character whatsoever of "Louise Bredenwischer" and "Eliza Bredenwischer" in and to the Estate of Henry H. Schmidt, deceased; and

Whereas through clerical error the names "Louise Bredenwischer" and "Eliza Bredenwischer" appear in such Vesting Order as "Louise Bradenwischer" and "Eliza Brendenwischer";

Now, therefore, Vesting Order Number 1017 is hereby amended by substituting the name "Louise Bredenwischer" for

"Louise Bradenwischer" and "Eliza Bredenwischer" for "Eliza Brendenwischer" in such vesting order.

All other provisions of said Vesting Order Number 1017 and all action taken on behalf of the undersigned in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on March 7, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3529; Filed, March 13, 1944; 11:12 a. m.]

[Supplemental Vesting Order 3185]

AMERICAN VOITH CONTACT CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 114, dated August 25, 1942, that American Voith Contact Company, Inc. is a national of a designated enemy country (Germany);

2. Finding that of the outstanding stock of American Voith Contact Company, Inc., a corporation organized and doing business under the laws of the State of New York and a business enterprise within the United States, consisting of 2,000 shares of common having a par value of $100 a share, two shares (0.1%) are registered in the name of Otto J. Goeppinger and are beneficially owned by Hermann Voith and are evidence of an interest in said business enterprise;

3. Finding that the following persons have claims against American Voith Contact Company, Inc. in the amounts appearing opposite each name, which claims aggregated $16,000 as of August, 1939 and are represented on the books and records of said company as loans payable to Christian F. Benz, under style of C. F. Benz, No. 1 Account, subject, however, to any accruals or deductions subsequent thereto, and represents interests in said business enterprise:

Name and Amount	
Hermann Voith	$5,000.00
Hanns Voith	5,000.00
Walther Voith	6,000.00
Total	16,000.00

4. Finding that Hermann Voith, Hanns Voith and Walther Voith, whose last known addresses are Heidenheim, Germany, are nationals of a designated enemy country (Germany);

And determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian two shares of the common capital stock of American Voith Contact Company, Inc., registered in the name of Otto Goeppinger, and the claims against American Voith Contact Company, Inc., represented on its books and records as C. F. Benz, No. 1 Account, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3522; Filed, March 13, 1944; 11:11 a. m.]

[Supplemental Vesting Order 3186]

ARUSHEE COMPANY

Under the authority of the Trading with the Enemy Act as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 56, dated July 23, 1942, that Arushee Company is a national of a designated enemy country (Germany);

2. Having found in the aforesaid order, that the persons listed below are nationals of a designated enemy country (Germany):

Wilhelm Heraeus, Bertha Heraeus, Annemarie Noll, Clara Andre, Paula Emge, Emma Kraemer, Werner Canthal, Hertha Jeep, Wilhelm H. Heraeus, Reinhard Heraeus, W. C. Heraeus, G. m. b. H., Mrs. W. Canthal, Carl Heraeus, Mrs. Platzhoff, Mrs. Corning, F. Kuech, Mrs. Auguste Heraeus, Mrs. Else Heraeus, Mrs. Gertraud Heraeus, and Rudolph Noll;

3. Finding that the nationals described in subparagraph 2 have claims against Arushee Company in the amounts listed below, which claims aggregated $6,924.60 as of July 27, 1942, and are described on the books of said company as "Dividends Payable Account," subject, however, to any accruals or deductions subsequent thereto, and represent an interest in said business enterprise:

Name	*Amount of Claim*
Wilhelm Heraeus	$2,093.85
Bertha Heraeus	1,129.50
Annemarie Noll	440.10
Clara Andre	441.00
Paula Emge	150.30
Emma Kraemer	13.50
Werner Canthal	90.00
Hertha Jeep	307.80
Wilhelm H. Heraeus	342.00
Reinhard Heraeus	562.50
W. C. Heraeus, G. m. b. H.	202.50
Mrs. W. Canthal	285.75
Carl Heraeus	200.25
Mrs. Platzhoff	184.50
Mrs. Corning	209.25
F. Kuech	48.15
Mrs. Auguste Heraeus	173.25
Mrs. Else Heraeus	37.35
Mrs. Gertraud Heraeus	3.15
Rudolph Noll	9.90
Total	6,924.60;

4. Finding that the nationals listed in subparagraphs 2 and 3 have an additional claim against Arushee Company, which claim as of July 17, 1942, amounted to $423.21, subject, however, to any accruals or deductions subsequent thereto and represents an interest in said business enterprise;

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Wilhelm Heraeus, Bertha Heraeus, Annemarie Noll, Clara Andre, Paula Emge, Emma Kraemer, Werner Canthal, Hertha Jeep, Wilhelm H. Heraeus, Reinhard Heraeus, W. C. Heraeus, G. m. b. H., Mrs. W. Canthal, Carl Heraeus, Mrs. Platzhoff, Mrs. Corning, F. Kuech, Mrs. Auguste Heraeus, Mrs. Else Heraeus, Mrs. Gertraud Heraeus and Rudolph Noll in Arushee Company, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing

thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3523; Filed, March 13, 1944; 11:11 a. m.]

[Supplemental Vesting Order 3187]

GODO MATCH CO., INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Having found in Vesting Order Number 187, dated September 28, 1942, that Godo Match Company, Inc., is a business enterprise within the United States and a national of a designated enemy country (Japan);

2. Finding that of the issued and outstanding capital stock of Godo Match Company, Inc., consisting of 300 shares of preferred stock having a par value of $100 a share and 300 shares of common stock having no par value, 30 shares (10%) of the preferred stock and 30 shares (10%) of the common stock are registered in the names of the persons listed below and are beneficially owned by the persons whose names are set out hereafter, which shares, together with the 270 shares (90%) of the preferred stock and 270 shares (90%) of the common stock previously vested, are evidence of ownership and control of said business enterprise:

Numbers of Shares, Preferred, Common; and Beneficial Owner

Sakae Iwasaki, 5, 5, Mitsubishi Shoji Kaisha, Ltd.
Kyuzaburo Juba, 20, 20, Kyuzaburo Juba.
Takehiko Imai, 5, 5, Takehiko Imai.
Total 30 shares, 30 shares.

3. Finding that Mitsubishi Shoji Kaisha, Ltd., is a Japanese corporation located at Tokyo, Japan, and is a national of a designated enemy country (Japan);

4. Finding that Kyuzaburo Juba and Takehiko Imai, whose last known addresses are Japan, are nationals of a designated enemy country (Japan);

and determining:

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the 30 shares of preferred stock and the 30 shares of common stock of Godo Match Company, Inc., hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 23, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3524; Filed, March 13, 1944; 11:11 a. m.]

[Vesting Order 3248]

CARL SPIESMACHER

In re: Estate of Carl Spiesmacher, deceased; File D-28-3742; E.T. sec. 6309.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of the City of New York, as Depositary, acting under the judicial supervision of the Surrogate's Court, Kings County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Max Spiesmacher, Germany.
Johann Spiesmacher, Germany.
Sophie Spiesmacher, Germany.
Laura Kleinhans nee Spiesmacher, Germany.
Maria Biederman nee Spiesmacher, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest, and claim of any kind or character whatsoever of Max Spiesmacher, Johann Spiesmacher, Sophie Spiesmacher, Laura Kleinhans nee Spiesmacher and Maria Biederman nee Spiesmacher, and each of them, in and to the Estate of Carl Spiesmacher, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44-3525; Filed, March 13, 1944; 11:11 a. m.]

[Vesting Order 3249]

MARY S. L. THORMANN

In re: Trust created under the last will and testament of Mary S. L. Thormann, deceased; File D-28-6575; E. T. sec. 4515.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by City Bank Farmers Trust Company, 181 Montague Street, Brooklyn, New York, Trustee, and George A. Thormann, % E. I. Cullen, 40 Wall Street, New York, New York, Cotrustee, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Elizabeth Thormann, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national

interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Elizabeth Thermann in and to a trust created under the Last Will and Testament of Mary S. L. Thormann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3526; Filed, March 13, 1944; 11:11 a. m.]

[Vesting Order 3250]

JOE OR JOSEPH VON VALESCO

In re: Estate of Joe or Joseph Von Valesco, deceased; File D–28–3634; E. T. sec. 5918.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George H. Tegtmeyer, Sr., Executor, acting under the judicial supervision of the Orphans' Court of Hudson County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Wilma (Vilma) Von Valesco, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Wilma (Vilma) Von Valesco, in and to the Estate of Joe or Joseph Von Valesco, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: February 28, 1944.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 44–3527; Filed, March 13, 1944; 11:12 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 181]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN NEW JERSEY, NEW YORK AND PENNSYLVANIA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

[1] Filed as part of the original document.

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carrier's possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all

reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effecuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the Supplementary Order number which appears in the caption on page 1 hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 15, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 11th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Burgmeyer Bros., Inc., a corporation, 332 Raymond Boulevard, Newark, N. J.

Central Transfer Co., Inc., a corporation, 14 Waydail Street, Newark, N. J.

Frank A. Lueddeke, an individual, 24 Foundry Street, Newark, N. J.

Joseph Shallcross, Sr., an individual, doing business as Shallcross Express, 115 Gotthardt Street, Newark, N. J.

[F. R. Doc. 44-3473; Filed, March 11, 1944; 10:31 a. m.]

[Supp. Order ODT 3, Rev. 192]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN INDIANAPOLIS AND PERU, IND.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 947), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

[1] Filed as part of the original document.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective March 17, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 13th day of March 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

APPENDIX 1

Inter-State Motor Freight System, Inc., of Indiana, 530 Kentucky Avenue, Indianapolis, Ind.

Clemans Truck Line, Inc., 1008 Lincolnway East, South Bend, Ind.

Paul R. Tyner, doing business as Becraft Motor Express, 905 North Union Street, Kokomo, Ind.

[F. R. Doc. 44-3509; Filed, March 13, 1944; 10:05 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 478, Rev. Order 25]

SYNTHETIC RUBBER COATED FABRICS

CALCULATION OF MAXIMUM PRICES

Revised Order No. 25 under Maximum Price Regulation 478. Coated and combined fabrics.

Order No. 25 under Maximum Price Regulation 478 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Orders Nos. 9250 and 9328, and section 10 of Maximum Price Regulation 478, it is ordered:

(a) *Applicability of this order.* Notwithstanding any other provisions of Maximum Price Regulation 478, this order is applicable to sales by a manufacturer of any fabric or service covered by this regulation which differs from a fabric or service for which he has already established a maximum price under Maximum Price Regulation 478, because of the substitution of Buna-N type synthetic rubber for Neoprene GR-M or GN synthetic rubber.

(b) *Maximum prices.* The manufacturer's maximum price for any fabric or service covered by this order, shall be calculated by adding to the maximum price of the fabric or service made with Neoprene GR-M or GN an amount not exceeding the increase in materials cost resulting from the substitution of a Buna-N type synthetic rubber for Neoprene GR-M or GN.

(c) *Computation of increase in materials cost.* The increase in materials cost referred to in paragraph (b) shall be calculated per unit of sale, as follows: The manufacturer shall multiply the quantity in pounds of the Buna-N type used and required to produce the fabric or supply the service, by the per pound price of that Buna-N type in effect to him on February 1, 1944. The result is the cost of that Buna-N type material. The manufacturer shall then multiply the quantity in pounds of Neoprene GR-M or GN required to produce the same fabric or sup-

ply the same service, by the per pound price of Neoprene GR–M or GN in effect to him on February 1, 1944. The result is the cost of the Neoprene material. The difference is the increase in materials cost resulting from the substitution of Buna–N type for Neoprene GR–M or GN referred to in paragraph (b).

(d) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 14, 1944.

Issued this 13th day of March 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–3540; Filed, March 13, 1944; 12 m.]

Regional and District Office Orders.

[Region I Order G–3 Under MPR 251]

PAINTING SERVICES IN LOWELL, MASS., AREA

Order No. G–3 under Maximum Price Regulation 251. Residential painting services in Lowell, Mass., Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1397.68 (b) of Maximum Price Regulation No. 251, *It is ordered:*

(a) Any seller making sales of residential painting services which are subject to Maximum Price Regulation No. 251 may increase his maximum price under the regulation for such sales by an amount not in excess of the difference between his labor cost computed on the basis of hourly rates in effect on July 1, 1942, and labor cost computed on the basis of the hourly rate of $1.125 established for residential and commercial painters by the National War Labor Board in WLB Case No. 1–6315, when the following conditions have been met:

(1) The seller performs the work, described above, within the Lowell, Massachusetts, area;

(2) The seller employs members of the union granted a wage djustment in WLB Case No. 1–6315; and

(3) The seller actually pays the hourly rate specified above.

(b) Any person determining maximum prices subject to this order shall submit such reports as the Office of Price Administration from time to time may require.

(c) This Order No. G–3 may be revoked or amended at any time.

(d) This Order No. G–3 shall become effective March 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3470; Filed, March 10, 1944; 4:54 p. m.]

[Region I Order G–11 Under RMPR 122, Amdt. 3, Corr.]

SOLID FUELS IN LAWRENCE, MASS., AREA

Correction of Amendment No. 3 to Order No. G–11 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Lawrence, Mass., area.

Item #5 in Amendment No. 3 to Region I Order No. G–11 under Revised Maximum Price Regulation No. 122 is corrected by changing "(f) (5)" to "(g) (5)" at both places where it appears.

This correction shall become effective as of March 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 4th day of March 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–3471; Filed, March 10, 1944; 4:54 p. m.]

[Region VI Order G–14 Under RMPR 122, Amdt. 2]

SOLID FUELS IN MILWAUKEE, WIS.

Amendment No. 2 to Order No. G–14 under Revised Maximum Price Regulation No. 122, solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold in Milwaukee County, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, *It is ordered,* That paragraph V of the schedule set forth in paragraph (c) (1) be amended, and that a section (4) be added to paragraph (c), to read as set forth below:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices before discounts for sales of specified sizes, kinds, and quantities of solid fuels. Column 1 describes the coal or coke for which prices are established. Column 2 shows the maximum prices for "direct delivery" of domestic fuel sold in quantities of less than 1 ton. Column 3 shows the maximum price for direct delivery of domestic fuel sold in quantities of more than 1 ton. Column 4 shows the maximum prices for "yard sales" of domestic fuel. Column 5 shows the maximum prices for "commercial" or "steam" sales and Column 6 shows the maximum prices for "yard sales" to dealers. The terms "direct delivery", "yard sales" and "commercial sales" are defined in paragraph (j) of this order.

AREA PRICES FOR MILWAUKEE, WISCONSIN

1 Description	2 Domestic, ½ ton	3 Domestic, 1 ton or more	4 Domestic, at yard	5 Commercial	6 Dealer, at yard
V. Pennsylvania anthracite:					
1. Egg, stove, nut	$8.25	$15.50	$14.25	----------	$13.15
2. Pea	7.50	14.00	13.25	----------	11.60
3. Buckwheat	6.65	12.30	11.55	----------	9.90
4. Rice	5.55	10.10	9.35	----------	7.70

(4) Anything herein to the contrary notwithstanding, this order shall not apply to sales by any producer of coke or briquettes.

This Amendment No. 2 to Order No. G–14 shall be effective March 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of March 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44–3472; Filed, March 10, 1944; 4:54 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 10, 1944.

REGION II

Williamsport Order No. 12, filed 10:05 a. m.

REGION III

Cleveland Order No. F–1, amendment No. 16, filed 10:06 a. m.

Lexington Order No. 1–F, amendment No. 19, filed 10:05 a. m.

Lexington Order No. 2–F, amendment No. 12, filed 10:05 a. m.

Lexington Order No. 3–F, amendment No. 10, filed 10:05 a. m.

REGION IV

Atlanta Order No. 3–F, amendment No. 5, filed 10:04 a. m.

Atlanta Order No. 3–F, amendment No. 6, filed 10:04 a. m.

Atlanta Order No. 4–F, amendment No. 1, filed 10:04 a. m.

Savannah Order No. 1–F, amendment No. 25; filed 10:06 a. m.

Savannah Order No. 3–F, amendment No. 18, filed 10:06 a. m.

Savannah Order No. 4–F, amendment No. 17, filed 10:06 a. m.

REGION V

Houston Order No. 1–F, amendment No. 3, filed 10:05 a. m.

REGION VI

Chicago Order No. 2–F, amendment No. 4, filed 10:01 a. m.

Chicago Order No. 7, filed 10:02 a. m.

Des Moines Order No. 6, amendment No. 3, filed 10:03 a. m.

Des Moines Order No. 7, amendment No. 3, filed 10:03 a. m.

Des Moines Order No. 8, amendment No. 3, filed 10:03 a. m.

Des Moines Order No. 9, amendment No. 3, filed 10:02 a. m.

Duluth-Superior Order No. 10, filed 10:01 a. m.

Duluth-Superior Order No. 11, filed 10:01 a. m.

North Platte Order No. 12, filed 10:02 a. m.
Sioux City Order No. 2–F, amendment No. 4, filed 10:07 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–3494; Filed, March 11, 1944; 11:52 a. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register on March 9, 1944.

REGION I

Augusta Order No. 11, Amendment No. 2, filed 2:15 p. m.
Augusta Order No. 12, Amendment No. 2, filed 2:13 p. m.
Augusta Order No. 13, Amendment No. 2, filed 2:15 p. m.
Augusta Order No. 14, Amendment No. 2, filed 2:15 p. m.
Augusta Order No. 15, Amendment No. 2, filed 2:15 p. m.

REGION II

Buffalo, Order No. P–1, Amendment No. 2, filed 2:13 p. m.
Buffalo Order No. P–2, Amendment No. 1, filed 2:13 p. m.
Maryland Order No. P–1, Amendment No. 2, filed 2:14 p. m.
Syracuse Order No. 16, Amendment No. 1, filed 2:14 p. m.
Syracuse Order No. 17, Amendment No. 17, filed 2:14 p. m.
Syracuse Order No. 18, filed 2:14 p. m.

REGION III

Cincinnati Order No. 1–F, Amendment No. 19, filed 2:08 p. m.
Cincinnati Order No. 3–F, Amendment No. 2, filed 2:15 p. m.
Cleveland Order No. F–5, Amendment No. 8, filed 2:08 p. m.
Lexington Order No. 12, Amendment No. 3, filed 2:12 p. m.

REGION IV

Memphis Order No. 4–F, Amendment No. 23, filed 2:13 p. m.
Richmond Order No. 3–F, Amendment No. 3, filed 2:13 p. m.
Richmond Order No. 14, filed 2:17 p. m.
Richmond Order No. 14, Amendment No. 1, filed 2:17 p. m.
Richmond Order No. 14, Amendment No. 2, filed 2:17 p. m.

REGION V

Fort Worth Order No. 1–F, Amendment No. 7, filed 2:11 p. m.
Fort Worth Order No. 2–F, Amendment No. 7, filed 2:11 p. m.
Fort Worth Order No. 3–F, Amendment No. 7, filed 2:11 p. m.
Fort Worth Order No. 4–F, Amendment No. 7, filed 2:12 p. m.
Fort Worth Order No. 5–F, Amendment No. 7, filed 2:17 p. m.

REGION VI

Des Moines Order No. 3A, Amendment No. 3, filed 2:10 p. m.
Des Moines Order No. 4–A, Amendment No. 3, filed 2:10 p. m.
Des Moines Order No. 5A, Amendment No. 3, filed 2:10 p. m.
Duluth-Superior Order No. 2–F, Amendment No. 1, filed 2.06 p. m.
Duluth-Superior Order No. 8 (Rev.), Amendment No. 1, filed 2:17 p. m.
La Crosse Order No. 1–F, Amendment No. 6, filed 2:09 p. m.
La Crosse Order No. 2–F, Amendment No. 2, filed 2:07 p. m.
La Crosse Order No. 3–F, Amendment No. 2, filed 2:07 p. m.
La Crosse Order No. 4–F, Amendment No. 2, filed 2:08 p. m.
La Crosse Order No. 5–F, Amendment No. 2, filed 2:07 p. m.
North Platte Order No. 2–F, filed 2:16 p. m.
Sioux City Order No. 3–F, Amendment No. 2, filed 2:13 p. m.
Springfield Order No. 1–F, Amendment No. 2, filed 2:07 p. m.
Springfield Order No. 2–F, Amendment No. 2, filed 2:07 p. m.
Twin Cities Order No. 1–F, Amendment No. 5, filed 2:06 p. m.

REGION VIII

Phoenix Order No. 12, filed 2:09 p. m.
Sacramento Rev. Order No. 3, Amendment No. 2, filed 2:06 p. m.
Sacramento Rev. Order No. 6, Amendment No. 3, filed 2:06 p. m.
Seattle Order No. 1–P, Amendment No. 1, filed 2:17 p. m.
Seattle Order No. 1–F, Amendment No. 6, filed 2:10 p. m.
Seattle Order No. 2–F, Amendment No. 5, filed 2:11 p. m.
Seattle Order No. 3–F, Amendment No. 6, filed 2:10 p. m.
Seattle Order No. 4–F, Amendment No. 6, filed 2:12 p. m.
Seattle Order No. 5–F, Amendment No. 5, filed 2:10 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 44–3495; Filed, March 11, 1944; 11:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–869, 70–872]

SOUTHWESTERN PUBLIC SERVICE CO. AND GLENN C. HYDE

NOTICE OF FILING AND ORDER FOR HEARING AND ORDER CONSOLIDATING HEARINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 10th day of March, A. D. 1944.

Notice is hereby given that on March 8, 1944, Glenn C. Hyde, as an individual, filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935, and particularly sections 9 (a) (2) and 10 thereof. All interested persons are referred to said document which is on file in the office of this Commission for a complete statement of the transactions therein proposed, which may be summarized as follows:

Glenn C. Hyde proposes to purchase from Southwestern Public Service Company, a registered holding company, all the outstanding securities of Gulf Public Service Company, an electric and gas utility company and a subsidiary company of Southwestern Public Service Company, for a base consideration of $4,660,000 cash, subject to adjustments for net current assets and certain tax adjustments. Said securities consist of $2,800,000 principal amount of 5% Unsecured Notes, due October 1, 1966, and 3,000 shares of Common Stock, par value $100 per share.

Glenn C. Hyde is an affiliate of Louisiana Public Utilities Co., Inc., a public utility company, being the president and a director thereof and owning 13½% of its outstanding voting securities.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission; and

It further appearing to the Commission that on March 1, 1944 the said Southwestern Public Service Company filed a declaration with this Commission, under section 12 (d) of the act and Rule U-44 of the rules and regulations thereunder, proposing to sell to the said Glenn C. Hyde all the outstanding securities of the said Gulf Public Service Company, consisting of the securities hereinabove described, for a base consideration of $4,660,000 cash, subject to adjustments for net current assets and certain tax adjustments; and

It further appearing to the Commission that under date of March 4, 1944, the Commission gave notice of the filing of said declaration of said Southwestern Public Service Company, and ordered that a hearing be held thereon on March 16, 1944 at 10 o'clock a. m., e. w. t., in the offices of the Securities and Exchange Commission at Philadelphia, Pennsylvania; and

It further appearing to the Commission that the proceedings upon the said application of said Glenn C. Hyde and the said declarations of said Southwestern Public Service Company involve common questions of law and fact; that evidence offered in respect to each of said matters will have a bearing on the other matter; and that substantial savings in time, effort and expense will result if the hearings on these matters are consolidated so that they may be heard as one matter, and so that the evidence adduced in each matter may stand as evidence in the other for all purposes;

It is ordered, That the proceedings upon the said application of Glenn C. Hyde and the said declaration of Southwestern Public Service Company be and they are hereby consolidated for the purpose of hearing and that the said consolidated hearing be held on March 16, 1944 at 10:00 a. m., e. w. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On the day hereinabove indicated for such consolidated hearing, the hearing room clerk in Room 318 will advise where such hearing will be held.

It is further ordered, That Henry C. Lank, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial

examiner under the Commission's rules of practice.

It is further ordered, That at said hearing without limiting the scope of the issues presented by said application and said declaration, particular attention shall be directed to the issues specified in the notice of filing and order for hearing under date of March 4, 1944 in regard to the declaration of Southwestern Public Service Company, and to the following additional matters and questions:

1. Whether the proposed consideration to be paid by the purchaser, Glenn C. Hyde, and to be received by Southwestern Public Service Company for the aforesaid Gulf Public Service Company securities is fair and reasonable.

2. Whether or not the acquisition of the said Gulf Public Service Company securities by the purchaser will serve the public interest by tending toward the economical and efficient development of an integrated public utility system, and whether such acquisition will tend toward interlocking relations or concentration of control of public utility companies of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

3. Whether it is necessary or appropriate to impose terms or conditions in the public interest or for the protection of investors and consumers.

4. Generally, whether the proposed transactions meet the standards of the appropriate provisions of the Public Utility Holding Company Act of 1935 and the General Rules and Regulations promulgated thereunder.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order to Glenn C. Hyde, to Southwestern Public Service Company, to the Public Service Commission of New Mexico, and to the Public Service Commission of Louisiana; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any other person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before March 16, 1944, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-3499; Filed, March 11, 1944; 2:42 a. m.]

[File No. 70-819]

INDIANA GAS UTILITIES CO. AND ASSOCIATED ELECTRIC CO.

APPLICATION-DECLARATION GRANTED

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 9th day of March, 1944.

Acquisition of securities by registered holding company or subsidiary. Elimination of inactive subsidiary through acquisition of subsidiary's assets by registered holding company. Application-declaration filed pursuant to sections 9 (a), 10, 12 (b), 12 (c), and 12 (f) of Holding Company Act by registered holding company and subsidiary which has sold its properties, concerning acquisition of remaining assets, subject to existing liabilities, of subsidiary, in consideration for surrender for cancellation of all outstanding securities of subsidiary, granted and permitted to become effective, the Commission observing no basis for adverse findings.

Appearances: William T. Martin, for applicants-declarants. David I. Bursten, for the Public Utilities Division of the Commission.

Associated Electric Company (hereafter referred to as Aelec), a registered holding company, and its wholly-owned subsidiary, Indiana Gas Utilities Company (hereafter referred to as Utilities), have filed an application-declaration concerning the acquisition by Aelec of all the assets of Utilities, subject to its existing liabilities, upon the surrender by Aelec, for cancellation, of all the outstanding shares of capital stock of, and claims against, Utilities. Among the assets to be delivered by Utilities are 940 shares of common capital stock, of the par value of $1 per share, of Atlantic Utility Service Corporation (hereafter referred to as Auscorp), which formerly rendered accounting, financial, and engineering services to various companies in the Associated Gas and Electric Corporation system.

After appropriate notice, a public hearing was held. No member of the public has objected to the proposal. Upon a consideration of the record, the Commission makes the following findings:

Utilities, an Indiana corporation, was formerly engaged in the distribution of manufactured gas in and around the cities of Terre Haute, Richmond, Brazil, and Clinton, in the State of Indiana. During March and April, 1941, Utilities sold all its properties for a net consideration of approximately $1,685,000. Those sales were approved by this Commission, as to the Richmond Division on January 13, 1941 (8 S. E. C. 469), and as to the Terre Haute Division on March 18, 1941 (8 S. E. C. 829). A supplemental order approving and confirming the consummation of the sale of the Terre Haute Division was also issued by us on November 16, 1943 (Holding Company Act Release No. 4693). At present, the corporation is inactive.

Of the proceeds of the sales of Utilities' properties, $855,750 was used on July 1, 1941, to call and retire the company's entire outstanding bonded indebtedness (of the principal amount of $815,000), at the call price of 102½. The sum of $802,575 was then passed up to Aelec in partial payment of open account indebtedness.

The balance sheet of Utilities, as at September 30, 1943, was as follows:

Assets and other debits	
Investments:	
Atlantic Utility Service Corporation—at cost	$12,455.00
Other	1.00
Cash	31,040.01
Total assets and other debits	43,496.01
Liabilities and other credits	
Capital stock—Authorized and issued, 40,000 shares common stock, no par value	$1,668,658.50
Indebtedness to parent—Associated Electric Company	1,191,353.13
Reserve for proportionate share of Federal income taxes asserted against Atlantic Utility Service Corporation	3,724.43
Earned surplus (deficit)	(2,820,240.05)
Total liabilities and other credits	43,496.01

( ) Denotes red figure.

In addition to the liabilities shown on its books, Utilities has certain contingent liabilities, minor in character, all of which are to be assumed by Aelec if not satisfied prior to the merger.

Aelec proposes to record the above assets on its books at the same amounts as carried on the books of Utilities. The reserve for the contingent liability in connection with the federal income tax claim asserted by the Treasury Department against Auscorp and predecessor companies is also to be taken over by Aelec.

As at September 30, 1943, Aelec carried its investment in Utilities as follows:

Common stock	$1.00
Open Account	39,770.58
Total	39,771.58

Sections 9 (a) and 10 of the Public Utility Holding Company Act are applicable to the acquisition by Aelec of the Auscorp stock. These shares are to be transferred to Aelec at their carrying value, which represents their cost to Utilities. At some future time, problems in connection with the distribution of Auscorp's assets may present themselves; we are not now required to pass upon the participation of Aelec in the liquidation of Auscorp by virtue of its present holdings or by virtue of its acquisition of the Auscorp stock of Utilities. At this time we observe no basis for adverse findings under sections 10 (b) or 10 (c) (1).

Sections 12 (b), 12 (c) and 12 (f) of the Act, together with the appropriate rules promulgated thereunder, are also applicable to other phases of the proposed transactions. Accordingly, we have examined the conditions of the proposal in the light of the standards and requirements of those sections and rules, and we observe no basis for adverse findings.

It is ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the aforesaid application-declaration be, and hereby is, granted and permitted to become effective forthwith, subject to the

terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-3498; Filed, March 11, 1944; 2:42 p. m.]

WAR SHIPPING ADMINISTRATION.

"FORTY FATHOM NO. 1"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.).

Whereas on July 20, 1942, title to the vessel "Forty Fathom No. 1" (240963), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress)), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

E. S. LAND,
Administrator.

[F. R. Doc. 44-3486; Filed, March 11, 1944; 11:46 a. m.]

"FORTY FATHOM NO. 3"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943 (Pub. Law 17, 78th Cong.)

Whereas on July 20, 1942, title to the vessl "Forty Fathom No. 3" (240965) (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943 (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

E. S. LAND,
Administrator.

[F. R. Doc. 44-3487; Filed, March 11, 1944; 11:46 a. m.]

"LOCKS"

VESSEL OWNERSHIP DETERMINATION

Notice of determination by War Shipping Administrator pursuant to section 3 (b) of the act approved March 24, 1943, (Pub. Law 17, 78th Cong.).

Whereas on December 5, 1942, title to the vessel "Locks," (214731), (including all spare parts, appurtenances and equipment) was requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended; and

Whereas section 3 (b) of the Act approved March 24, 1943, (Pub. Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, or just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941, (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking: *Provided, however,* That no such determination shall be made with respect to any vessel after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. * * *;

and

Whereas no portion of just compensation for the said vessel has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessel, spare parts, appurtenances and equipment is not required by the United States; and

Whereas the former owner of the vessel has consented to this determination and to the return of the vessel and the conversion of the requisition of title therein to a requisition of use thereof in accordance with the above-quoted provision of law;

Now therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above-quoted provisions of law, do hereby determine that the ownership of said vessel, spare parts, appurtenances and equipment is not required by the United States, and that, from and after the date of publication hereof in the FEDERAL REGISTER, the use rather than title thereto shall be deemed to have been requisitioned, for all purposes, as of the date of the original taking.

E. S. LAND,
Administrator.

[F. R. Doc. 44-3488; Filed, March 11, 1944; 11:46 a. m.]